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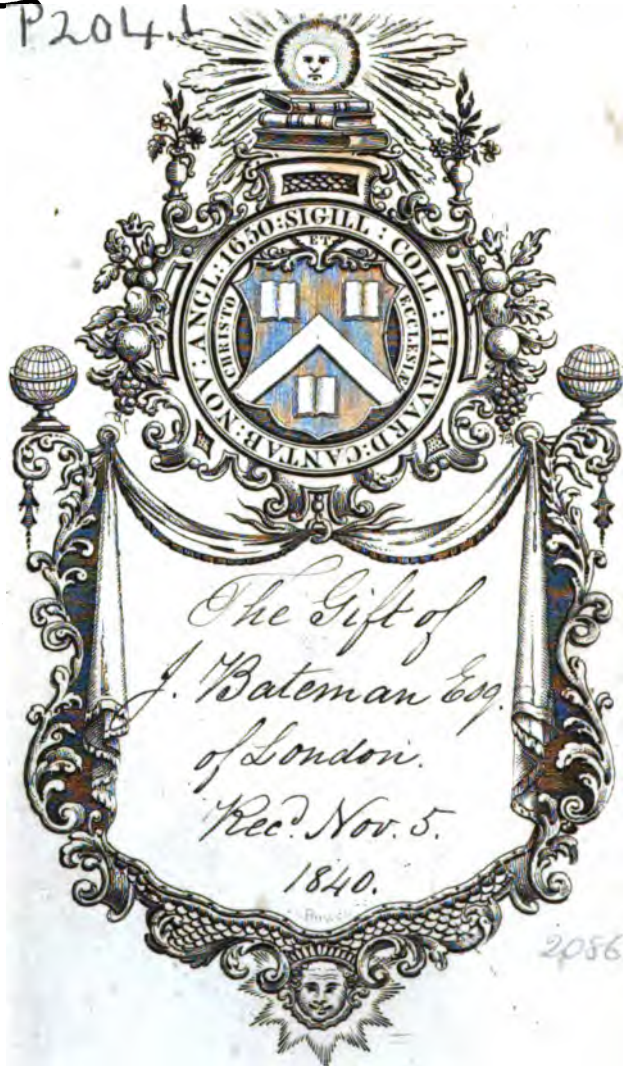
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origin constantly in view, that they never fade from our remembrance. We propose, in this article, to draw some few conclusions from these premises, which appear to be applicable to the present state of political parties.

At the very root of the science of government, lies the question of Rights. Are they equal, or unequal? And, does the solution of the quære involve a point of principle, or a point of opinion? A right is clearly not a gift; it is not, and cannot be, a concession from one man to another man, or from one class of men to another class of men; for who is he that could be the first giver? If a Congress, or a Senate, or a Legislative Assembly, no matter what name it assumes, publishes and enacts a Bill of Rights, this is neither a creation of them, nor a donation of them; but it is merely an act declaratory of their existence, and explanatory of their nature and qualities. Since political rights, or, as some call them, civil rights, cannot be manufactured by man, and are not the objects of donation or transfer from one individual to another, they must all originate in natural law, which is a declaration of the will of God; therefore, as between man and man, all rights are equal.

Now, the doctrine of the equality of rights is not a matter of opinion, but a point of principle; for society, or government, is not their donor, but their guardian. In them there is nothing earthly or human; they are one of the links in the chain which connects man with the divinity. They form part of his moral existence, and are inseparable from it. If the soundness of this view of the subject be doubted, let an opponent embrace the reverse side of the question, and insist on the *inequality* of rights. If that doctrine be maintained, then we ask, at what point shall this inequality commence, and at what point shall it stop? Farther, by what standard shall the relative gradations be determined? If you confer any adventitious pre-eminence on property, then you depart from every principle of moral liberty and justice; for wealth is no proof of virtue, nor is poverty a sign of vice; moreover, you confer artificial superiority on mere matter, which is irrational. It is equally indefensible to bestow rights on those who are loaded with titular distinctions. Nothing is easier to establish than a manufactory of nobles; nothing is more difficult than to establish a manufactory of wise men. Lockes, and Bacons, and Newtons, seldom appear more than once in a century; such characters are, indeed, truly noble; they are the pure gold, impressed with the stamp of the divine mint; but the nobility of the Herald's College are two frequently base counterfeits, a substratum of brass lackered over with a slight gilding.

Daniel De Foe, the immortal author of Robinson Crusoe, in his historical satire, entitled "*The True-Born Englishman*," has very concisely traced the origin of that inequality of rights, now existing in England,

which flows from the united source of property and titles, both acquired by usurpation, and a violation of all the most sacred principles of natural law :

“The great invading Norman let them know
What conquerors, in after times, might do ;
To every musqueteer he brought to town,
He gave the lands that never were his own.
He cantoned out the country to his men,
And every soldier was a denizen ;
No parliament his army could disband,
He raised no money, but he paid in land ;
The rascals, thus enriched, he called them Lords,
To please their upstart pride with new made words,
And Domesday Book his tyranny records.
Some show the sword, the bow, and some the spear,
Which their great ancestor, forsooth, did wear ;
But who the hero was, no man can tell,
Whether a colonel, or a corporal ;
The silent record blushes to reveal
Their undescended dark original ;
Great ancestors of yesterday they show,
And lords, whose fathers were—the Lord knows who !”

It would be easy to bring forward other examples to illustrate what we insist on as *principles*, in contradistinction to *opinions*. But let this one concerning the equality of rights suffice. It is one of the pillars, on which every system of constitutional liberty ought to rest. Now, this principle having been demonstrated to be a truth by every political philosopher who has written on the subject, it becomes the duty of the practical statesman to carry it into effect ; but here he may be allowed some latitude. Representative government, for instance, the only one worth thinking about in the present century, is not necessarily confined to any particular form. So long as first principles are respected, the mode and manner of reducing them into practical operation becomes a subordinate question,—a matter of opinion. In all deliberative assemblies, where freedom of debate exists, the votes of the majority are binding on the minority, for, otherwise, their entire usefulness would be destroyed : but this does not establish any inequality of rights : for though every man has a right to give an opinion, yet no man can pretend that his opinion is to govern his neighbour.

Every art and every science is founded on certain principles, and though these are scarcely known at their first introduction, or at most very imperfectly understood ; yet, in the course of years, and after repeated researches, they are discovered and firmly established. In every department of natural and experimental philosophy, some such fundamental laws are known to exist, and as soon as their nature and properties are ascertained, they cease to be matters of opinion, but become princi-

ples. In reference to the known laws of motion, for example, no man would say, "I am of opinion that if a body is in a state of rest, it will remain in a state of rest till acted upon by some external force," for this is a principle, and thus ceases to be a matter of opinion. There are no longer two sides to the question. This fundamental law of motion is now so familiar to the world, that all persons act upon it, and any one who doubted its universality, would be considered a fool.

But the same reasoning which is applied to physical causes and effects, holds good in reference to moral causes and effects. Morality is governed by fundamental laws, and rests on what are called first principles. The science of government is one of the departments of morals, and therefore may be regulated by fixed and unerring rules.

The political philosopher will always be in advance of the age in which he lives, for it is his proper business to deal alone with principles and their application; the masses are content to shape their conduct according to mere opinion. The former confines himself to demonstration, certainty, and truths; the latter are satisfied with speculation, probability, and errors. Pride and prejudice are the great enemies of the philosopher; time and reflection are his best friends. If he perceives that any existing law or custom violates a principle, and is only retained because it is ancient, it is his duty to provide a remedy: and though he knows full well that any reform will be at first scouted as a new-fangled doctrine, yet he will persevere: and if he has thrown a truth upon the waters; sooner or later it will arrive safely in port. Of this fact many instances have occurred in our time. When Mr. Wilberforce first proposed the liberation of the negro, he was spit upon as a fanatic, and denounced as a leveller, who had no respect for the aristocracy of the skin. The eloquence of Grattan passed away as an empty sound, when he pleaded for the emancipation of the Catholics. The most convincing arguments, in favour of the repeal of the Test and Corporation Acts, weighed but as a feather in the balance. Rotten boroughs once were revered as the "nurseries of rising statesmen," and whoever dared to lay his ruthless hands on the constitutional cradles of these sucking babes, was held up to hatred, as an Atheist and a Jacobin. But, in a few short years, the scene has changed; truth has triumphed, and justice has prevailed. The scales have fallen from the eyes of the nation, and she walks erect, strong in the dignity of reason, her countenance radiant with the warm glow of humanity.

A political constitution, to be sound and healthy in all its parts, ought to be made up of principles. Now, the British Constitution, as we have shown in many former articles published in this Magazine, is a thing of shreds and patches,—an Ossa of inconsistencies piled upon a few grains of common sense. The unreflecting multitude, being taught

from their infancy to admire it as a model of the most consummate wisdom, pay unbounded homage to this idol of their imagination, receiving the "*ignotum pro magnifico*," the unknown for the magnificent. But surely if reflection could exercise its just influence, this blind adoration of a phantasm would vanish before the calm voice of reason. To any thinking man, we would put this simple question: Where is the Constitution? Can I see it? Can I read it? Does it exist in any tangible form? Are its principles reduced into writing, so that I may examine it, not only as a whole, but make myself master of each of its constituent parts? Unless all these questions can be answered in the affirmative, the Constitution is beneath the notice of a political philosopher. To speak the truth, Britain has no constitution whatever, in the proper signification of language. A few Acts of Parliament, of doubtful construction,—some scanty precedents, of ambiguous authority,—half a score of judicial dicta, vague and indefinite in their meaning,—these are the materials of that political nondescript before which so many millions have bowed the knee, and worshipped. And what, hitherto, has been the practical result? It is this: that in the absence of a real constitution, men have looked entirely to party; and instead of principles governing parties, parties have trampled principles beneath their feet.

In the present state of public affairs, we find many examples which illustrate this view of our subject, among which the most prominent is the state of Ireland. In reference to that misgoverned country, the principle of the equality of rights has been, and still is, most grossly violated. The memorable debate on the Municipal Corporation's Bill is a striking example of the gross injustice which the conservative party have dealt out to the sister kingdom. Never was there a more lamentable example of party triumphing over principle,—of might overcoming right,—of exclusiveness arrayed against universality. Lord Lyndhurst substantially affirmed that the union was nominal, and not real—a parchment contract, and not a social compact,—and he, an American by extraction, denounced seven millions of Irishmen, in justification of his argument, as aliens in blood. The declamation was as inflated, as the reasoning was hollow, but it suited the vitiated tastes of a prejudiced audience, unversed even in the rudiments of political philosophy; and truth was immolated at the shrine of faction. Such a victory, however, will assuredly be followed by a signal defeat, and though the partizans of Lyndhurst declared that he rose like a rocket, it requires no great foresight to predict that, ere long, he will fall like the stick.

We have said that the political philosopher should always be in advance of the spirit of the age in which he lives. He knows that every people, who live under free institutions, will progress onwards to some point at which the preceding generation had not arrived; and it is

his business to anticipate the date of these periodical changes, to weigh well the circumstances under which they will occur, and consider by what measures they may be most securely realized. The very nature of his office thus draws down upon him the sneers, the hatred, and the obloquy of the masses; he shocks their pride, he wounds their prejudices, he alarms their fears; he is ridiculed as an experimentalist, decried as an innovator, despised as a charlatan; and why? because while the multitude are content to gaze on the surface of things, he penetrates to their origin, and observes the workings of the silent machinery of civilization.

But this is not the position of the practical statesman. It is his province to watch the signs of the present time; to note the prevailing opinions of the day; and to steer his vessel, as the wind blows. He may agree with the political philosopher, that a momentous change, sooner or later, must be effected; but he may differ with him, as to the exact period when it may be judiciously consummated. They may accord on the principles which govern events, but their opinions may vary as to the circumstances under which those principles may be most advantageously developed. It is never to be expected that all men are to change their opinions at the same moment, for there never was any truth or any principle so irresistibly obvious, that all men believed it at once. Time and reason must co-operate with each other to the final establishment of any principle; and, therefore, those who happen to be first convinced have no right to persecute others, on whom conviction operates more slowly. The moral principle of Radicalism is to instruct; not to destroy.

Under this aspect, we may view the two great political parties which divide the people of England. Lord Melbourne has displayed the foresight of a philosopher, and the discretion of a statesman; he has based his government on a principle, from which he has never swerved, and prudently abstained from pushing that principle into practice, with a rapidity that might alarm prejudice, and create reaction. Up to a certain point, he has felt his way with admirable tact; he has shown his sincerity by introducing measures in accordance with popular desire; some he has carried—on others, he has been defeated; but even his defeats are the precursors to victory, if the people are true to themselves. He has won confidence by straightforward manliness and honesty; he has shown the Commons that he is their friend, and given them the opportunity of discovering their enemies; if it be said that he has done too little, let us ask, where shall we find the man, among all his predecessors, who ever did so much? We have now at the head of affairs a minister, who has repudiated the stale and worthless doctrine of expediency, and resolved to carry out the principle of equality of rights;

and it rests with the electoral constituencies to strengthen that power, which he seems fully resolved to wield, for the impartial benefit of the people of the United Kingdom.

If we weigh the character, and test the conduct of his opponents, we find the characteristic of their policy to be, a total want of principle. They have always governed the nation, for the benefit of a party. They resisted the abolition of slavery, until they were paid twenty millions, as a compensation. They only conceded the Catholic claims, in order to retain their places. They exerted the whole of their power, to preserve the rotten boroughs. When court intrigue dismissed the Melbourne cabinet, Sir Robert Peel avowed his determination to carry out the principle of reform, against which he had been fighting during the whole of his political life, and he, who had been tried for twenty years, had the impudence to ask the public for what he called "a fair trial." At the merchant tailor's dinner, he gloried in being the son of a cotton spinner, wishing it to be inferred that he was one of the people, while he always has been, in reality, the veriest hack that the aristocracy ever bestrode. He talked smoothly of adopting a plan of "temperate and moderate reform," an unmeaning phrase, which denotes either weakness, or duplicity. If there be any value in words, a thing moderately reformed, is not reformed as much as it might be. What he would have done, as a minister, may be easily inferred from his votes in opposition.

We believe that the time has now come when the political system of this enlightened nation must be based on principles, so that our rulers must prepare themselves to be judged by their *deeds*, and not by their *professions*. The whig-radical party have the opportunity of carrying on the government on this plan, and gradually accelerating the movement. We take it for granted that their tenure of office is now rendered permanent, and can only be brought to a close by their imprudence; for the king would violate every principle of justice, if he again confided the great seal to the Anglo-American lord, who denounced seven millions of his subjects as "aliens," and thus declared them unworthy of enjoying the same privileges as the people of England and Scotland.

CHRISTMAS STANZAS.

TEARS' joy among the nations now in every Christian heart,
And none but tears of gratitude from eyes of gladness start;
The carol and the voice of joy together sweetly chime,—
For 'tis the Saviour's natal day—the happy Christmas time.

The bliss of Heaven is sweeter on this chief of heavenly days,
The seraph's harps are sweeter too—the universe is praise;
And round the Father and the Son undying voices sing,
Whilst to their joyous melodies responds the golden string.

8 *Ignatius Loyola, the Founder of the Order of Jesuits.*

The aged on the grave's dread brink look fearlessly around,
For well they know the tyrant Death by Heaven's own Son is bound ;
"Then let the guilty heart be sad," they say, with kindling eye,
"But on his Saviour's natal day the Christian may not sigh."

The mother looks upon her babe with all a mother's love,
And fervently implores for it a blessing from above ;
Upon her infant's countenance such smiles seraphic play
As beam'd on Bethlehem's Babe Divine on His great natal day.

"My own, dear, happy innocent," the blissful mother cries,
Although thy lovely form may die, thy soul to Heaven must rise,
For He whose birth we celebrate, the Son of HIM on high,
Once died in mortal agony that Death itself might die."

The young in years and sorrow now forget their little cares ;
The poor are rich and blithe to-day as great Emmanuel's heirs ;
And love is more intense and pure, more happy far and free—
It is the soul's affection which, when earth is not, will be.

There's happiness on earth as yet to lighten mortal wo,
There is a Heaven where 'mongst our joys no tears can ever flow,—
O thither, Christian,—be there thorns or roses in the way,—
Press on to meet the God whose birth we celebrate to-day.

Another year of earthly time hath disappeared for aye,
And many a loved and loving heart with it has passed away ;
But sorrow not, their blissful souls are banqueting on high
With Him whose love enables us to meet them in the sky.

Be joy among the nations then, in every Christian heart,
Let none but tears of gratitude from eyes of gladness start ;
Let carols and exulting songs together sweetly chime,—
For 'tis the Saviour's natal day—the happy Christmas time!

J. D. PIERCEY.

IGNATIUS LOYOLA, THE FOUNDER OF THE ORDER OF JESUITS.

IN 1491, the lady of the castle of Loyola, in Biscay, feeling, for the eleventh time, the pangs of childbirth, desired that she might be carried into a stable, in memory of the *accouchement* of the virgin, and there she brought forth a son, named Inigo, or Ignatius. In early life one of the pages of Ferdinand the Fifth, and afterwards a soldier, the young Loyola defended Pampeluna, in 1521, then besieged by the French, when a fragment of stone broke his left leg, and a cannon ball, at the same moment, fractured his right. He was attended by the surgeons on the spot, and conveyed thence to his father's castle. The operation of setting the limbs was badly performed, and the bones were out of their place. In order to restore them to their natural position, he was told that the limb must be broken again. To this the patient immediately assented.

This leg was as badly set the second time, as the first. A bone permanently projected below the knee, and prevented the sufferer from wearing the long military boots then in fashion. He had the courage to have it rasped away, without uttering a cry, or moving a muscle of his face. Nor was this the only punishment he underwent, to get rid of any physical deformity. The thigh of his right leg having become shortened, he consented to have it forcibly stretched by an iron

machine; but no fortitude of his own, and no skill of the operators, could bring it down to the length of its companion; and Loyola remained lame.

During his convalescence, he felt the necessity of books to while away the time, and demanded the popular romances of chivalry, which were his favorites: but books of that description were not allowed to enter the castle of his bigotted father, who presented his son with a more edifying work, entitled "The Flowers of the Saints." These wonderful stories produced the liveliest impression on his imagination, and he then determined to consecrate the remainder of his days to the service of God. Full of this idea, he passed a whole night armed from head to foot before the altar of the Virgin Mary, and placed his sword and dagger on a neighbouring pillar, in conformity with the laws of ancient chivalry. A Moor, who was present at the ceremony, and maintained that Mary ceased to be a virgin when she became a mother, narrowly escaped being killed by the new convert.

Loyola then proceeded to Maurèze, a small and obscure town, but which he rendered famous by his penance. He took up his lodgings at the hospital, and commenced his mortifications by keeping his fast on bread and water every day, except Sundays, on which he ate a few cooked vegetables, mixed with ashes; he wore coarse horse-hair against his skin, scourged himself three times daily, lay on the bare earth, and scarcely slept during the night. He was seen to beg his bread from door to door, affecting the airs of a beggar by profession; he was at once so disgusting and so ludicrous, that children pointed at him with their fingers, pelted him with stones, and applied to him the most opprobrious language. At length the secret of his birth and family was bruited about at Maurèze, on which he fled, and sought a retreat at the foot of a mountain about a quarter of a league from the town. He there lived in a cavern, the mouth of which was almost closed with brambles, and into which light was only admitted through a fissure in the rock. There he inflicted on himself those cruelties which rendered his name so famous: four or five times per diem, he scourged himself with an iron chain, and, following the example of St. Jerome, he used to strike his breast sharply with a flintstone. Some persons found him at the outside of the cavern, when he had fainted away from bodily suffering, and took him back to the hospital. His brain was sensibly affected by abstinence and torture; he fell into a state of profound melancholy, groaned audibly night and day, and scarcely ever took an hour of repose. He uttered the most frantic cries,—rolled himself in the dirt, and when his exhausted strength would no longer allow him to continue this discipline, he sunk into a state of torpor and insensibility.

The Dominicans of Maurèze, touched with compassion, charitably took him into their establishment, and endeavoured to cure him of his madness. Their efforts were not unavailing; his desponding melancholy was gradually softened down into a harmless mania, and his feelings passed, as it were, from hell to paradise. The historians of his life say that, at this period, the apparitions, illuminations, extacies, and visions which had tormented him, disappeared. They declare that God had pity upon him, and instructed him in the mysteries of religion by a direct and personal revelation, having thrown Loyola into a mystic trance, which lasted eight days. It was then that he received the

10 *Ignatius Loyola, the Founder of the Order of Jesuits.*

plan of the celebrated institution which he afterwards established. At the same time he composed his famous book, entitled "Spiritual Exercises," which drew down upon him such severe persecutions.

In 1524, he travelled into the Holy Land. On his return to Europe, being then thirty-three years of age, he commenced his studies under Jerome Ardebala, professor of grammar at Barcelona. At the end of two years, although he had acquired very little Latin, he resolved to go through a course of philosophy and theology at the university of Alcalá. Some proselytes, that he had made at Barcelona, wished to follow him, but he dared not to take them with him, for fear of offending the Inquisition at Toledo. However, he ventured on being accompanied by three, named Caliste, Artiaga, and Cazeves; the hospital of Alcalá furnished him with a fourth; he was a young Frenchman, called Jean, who, having been wounded in a duel, in passing through that town, in the suite of the viceroy of Navarre, whose page he was, had been carried to the hospital to get cured of his wounds. The master and his disciples were clothed in a long flowing coat of grey serge, with a hat of the same colour; they were lodged through charity, sometimes in one place and sometimes in another, and lived upon alms.

Loyola, disheartened by the slow progress that he made in his studies, abandoned Aristotle and Thomas Aquinas, and, with his four disciples, who were as ignorant as himself, he began to catechize infants, deliver exhortations to the most licentious of the students, and teach the Christian doctrine to the common people. These proceedings excited great murmurs; he was imprisoned, but soon released; finally, by a public sentence pronounced in June, 1527, Loyola and his companions were ordered to wear the academical dress, and to desist from expounding the mysteries of religion, before they had studied theology for four years, under the penalty of excommunication and banishment.

This prohibition was, as a clap of thunder, to Ignatius; it reduced him to the humble condition of a student, and made him pass for an ignorant charlatan, who pretended to teach what he did not know. He was so nettled at this affront, that he retired to Salamanca to continue his studies; but he had no sooner arrived, than he forgot the object of his journey, and began to preach, as he had done at Alcalá. Arrested a second time with his disciples, he remained twenty-two days in prison, and only quitted to hear his sentence pronounced. Not finding them guilty of any irregularity in their morals, or of any heresy, the judges permitted them to teach the catechism, but strictly prohibited their touching on the delicate distinctions between deadly and venial sins, until they had studied theology four years.

Disgusted with so many interruptions, Loyola determined to leave his ungrateful country, and repair to France. He communicated this intention to his companions, who, being heartily sick of the miserable life they led with him, refused to accompany him on this new expedition. He set out alone, and on foot, driving an ass before him, which carried his books and papers, all of which he had composed in the time of his greatest ignorance. He arrived at Paris in the month of February, 1528, and recommenced his studies. At the college of Montaigne, he applied to general knowledge, and at the college of St. Barbe, to philosophy. In this last establishment, he so distracted the students by his doctrines, that the professors sentenced him more than once to

severe penalties. He again began theology at the college of the Jacobins, but his zeal for making proselytes being kindled anew, he succeeded in making six converts. These were Pierre Lefevre, a poor Savoyard priest; Francois Xavier, a Navarrese gentleman, who professed philosophy at the college of Beauvais; a Portuguese, named Simon Rodriguez d'Azevedo, and three Spaniards, James Lainez, Alphonso Salmeron, and Nicholas Alphonso, surnamed Bobadilla, from the place of his birth. Fearful lest their ardour might cool, he conducted them to the church of Montmartre, on the day of the assumption, 1534, when the Roman Catholic festival was held, to commemorate the ascension of the virgin to heaven. Pierre Lefevre solemnized the mass, and administered the sacrament to each of them in a subterranean cavern; they, then, all made a vow to visit Jerusalem at a fixed date, and labour to convert the infidels. If they found that they could not remain in the country with safety, they agreed to go to Rome, throw themselves at the feet of the pope, and beseech him to dispose of their persons, according to his good pleasure.

Loyola was now joined by three other disciples Claude Le Jay, a Savoyard, and Jean Codure, and Pasquier Brouet, Frenchmen, and they took the same vows at Montmartre, when the rest of the fraternity renewed theirs for the second time. These ten persons, the nucleus of a society which afterwards became so famous, repaired to Rome at Easter, 1538. There they held a meeting, in which they laid the foundations of their mystic edifice. Ignatius, in a long harangue, declared that they would never effect any thing on a grand scale, unless they were incorporated into an order capable of increasing their numbers in all places, so as to continue in existence to the end of time, and, as they would fight under the banner of Jesus Christ, they could not adopt a more appropriate name than that of the divine Redeemer.

Persuaded that, without the support of the great, he would never arrive at any considerable power, Loyola employed flattery to attach them to his interests, and he so far succeeded as to be enabled to submit the plan of his society to Pope Paul the Third, in 1539. The holy father refused at first to sanction this institution; but, being urgently pressed, he at last consented to take the new scheme into consideration. Guidiccioni, one of the three cardinals appointed to examine these proposals, decidedly opposed them, and his advice prevailed. Ignatius struggled in vain to conquer this opposition; all that he could obtain from the pope was, permission for his disciples to be employed in such places as the church might appoint, but they had no general commission, nor could they lawfully exercise any discretionary power. Two of them, Xavier and Rodriguez, were sent into Portugal, from whence the former passed into India. Paul the Third, thinking, after some time, that the holy see, now attacked on all sides, could not have too many defenders, closed his ear to the wise remonstrances of Guicciardini, and finally yielded to the pressing solicitations of Loyola. On the 27th of September, 1540, was published the fatal and too famous Bull "*Regimini militantes ecclesie*," which sanctioned and legalized the new society under the name of the "Company of Jesus," but limited their numbers to sixty, a restriction which another Bull, issued three years afterwards, rescinded. It has been often remarked, that as the Roman emperors assumed the cognomina of Africanus, Germanicus, &c.,

because they were not the friends of those nations whose names they assumed, in like manner the Jesuits assumed the name of Jesus, because they were the greatest enemies of his doctrines.

The ambition of Loyola was not yet satisfied ; he earnestly desired to receive an unequivocal mark of the gratitude of his companions, and be openly acknowledged the supreme chief of the order that he had founded. His wishes were crowned with complete success, for his companions proclaimed him their general on the 22nd April, 1541. His profession of faith commenced with these words : " I, Ignatius of Loyola, promise before God, and our holy Pontiff, his vicar on earth, before the glorious virgin mother and the celestial hosts, and before you, my brethren, to live in perpetual poverty, chastity, and humbleness, according to the form of life contained in the Bull of the Institution of the Company of Jesus."

Arrived at the height of power, Loyola determined to secure his authority by compiling a code of laws for the regulation of his subjects. On this subject, he laboured night and day in conjunction with Lainez, who had read the rules of every society that had been formed, and from them he extracted those which were best suited to the objects and discipline of the Jesuits. As he pretended not to write a single article without having first implored the protection and enlightenment of God, his disciples boldly announced that their constitution was the inspired work of the Holy Ghost. What that constitution was, we will explain in our next, only remarking, at present, that it was a model of political sagacity.

AN EPISTLE TO A FRIEND.

ON THE NEW YEAR.

DEAR TOM, your affectionate letter
I received with much joy yesterday ;
You know very well I'm a fretter—
But *you* can make misery gay :
So Hymen at length hath united
Yourself to sweet Mistress O'Leer,
You're in raptures,—your lady delighted—
May you be so through every New Year.

What a season is this for good wishes,
For revels, and humdrums, and balls,
For turkeys, geese, snipes, and *prime* dishes,
For polite and impertinent calls ;—
I declare that the *gros lot* at Bish's
Scarce would pay for the grog, cheese, and beer,
The mull'd wine and the loaves and the fishes,
Consumed every happy New Year.

My maid all the day rinses glasses,
My man cannot stir from the doors ;
'Tis the visiting day of the asses
Entitled—*par excellence*—bores.
Troops of nephews, and cousins, and nieces,
Whose visits are all very *dear*,—
Who empty my purse of its pieces,
And leave me—a happy New Year.

Then come duns of all trades and professions ;
 The doctor's no *patience* with me,
 Though his bills and advice are oppressions
 Under which I a *patient* must be.
 Next the venders of tonics and lotions,
 Whose *charge* more than bayonets I fear,
 For their drugs take my cash in large portions
 With a grin and—"a happy New Year."

My lawyer, too, on this occasion,
 Claims the costs of my law-suits of course,
 And *ejects*, by his powers of persuasion,
 The *tenants* that *burthen* my purse.
 My brewer doth humbly solicit
 A *draft* for my *draughts* of his beer!
 My vintner is very explicit,
 But ends with—"a happy New Year."

My time-vender and mender now tells me,
 That he's wound up my *balance*-amount,
 And hopes that my *main-spring* impels me
 To *adjust* the long-ticking account :
 My knight of the goose hath obtested
 That my credit he'll cut with his shears,—
 He'll not clothe me, but have me *invested*—
 In prison for many New Years.

My cobbler vows ere he's much older,
 Long before I've worn out my *tough sole*,
 He'll tap *me*, for *heel-taps*, on the shoulder,
 Or bore through his lap-stone a hole.
 My pastry-cooks, butchers, and bakers,
 With their bills of (spent) fare next appear ;
 E'en those death-dealers, called undertakers,
 Now wish me "a happy New Year."

Now our sixties, both married and single,
 To dance, in exclusiveness meet ;
 A non-sixty with these may not mingle—
 To prevent a confusion of feet.—
 What's a sixty ? methinks you are crying,—
 A term which is not very clear ;
 You'll therefore excuse my replying—
 Till we come to another New Year.

But this Sarnia, dear friend, I assure thee,
 This Sarnia's a sweet little spot,—
 Where my friendship from care would secure thee,
 Where the troubles of nations are not :—
 Where *silently* charity glideth
 To dry wretched poverty's tears ;—
 Where contentment with virtue abideth,
 And brings many happy New Years.

Fare thee well, my dear Tom, and if ever
 You roam from the land of your birth,
 You may search the world o'er, but you'll never
 Find an island like Sarnia on earth :—
 Where the hand and the heart are united
 To bestow and enjoy their good cheer,—
 Where, forget not, my friend, you're invited—
 To pass many a happy New Year.

J. D. PIERCEY.

ANECDOTES OF VENTRILOQUISM

VENTRILOQUISM is the art of vocal deception. It is a quality, possessed by some few persons, by means of which they are enabled to speak inwardly, having the power of forming speech by drawing the air into the lungs; and to modify the voice in such a manner, as to make it seem to proceed from any distance, or from any direction whatever.

The following anecdotes are related by the Abbé de la Chapelle, one of the members of the French Academy. This gentleman having heard many surprising circumstances related concerning one M. St. Gille, a grocer, at St. Germain-en-Laye, near Paris, whose astonishing powers as a ventriloquist had given rise to many singular and diverting scenes, formed the resolution to see him. Struck by the many marvellous anecdotes concerning him, the abbé judged it necessary first to ascertain the truths of these reports by the testimony of his own senses, and then to inquire into the cause of the phenomena, and investigate the manner in which they were produced.

After some preparatory steps, (for M. Gille, he had been told, did not chuse to gratify the curiosity of every one,) the abbé waited upon him, informed him of his design, and was cordially received. He was taken into a parlour on the ground floor, where M. St. Gille and himself sat on the opposite sides of a small fire, with only a table between them, the abbé keeping his eyes steadily fixed on his companion. Half an hour had passed, during which that gentleman diverted the abbé with the relation of many comic scenes which his peculiar talent had produced; when, all on a sudden, the abbé heard himself called by his name and title, in a voice that seemed to come from the roof of a distant house. He was almost petrified with astonishment: on recollecting himself, however, and asking M. St. Gille whether he had not just given him a specimen of his art, he was answered only by a smile; but while the abbé was pointing to the house from which the voice had seemed to proceed, his surprise was augmented on hearing himself answered, "It was not from that quarter," apparently in the same kind of voice as before, but which now seemed to issue from under the earth, at one of the corners of the room. In short, this factitious voice played, as it seemed, every where about him, and seemed to proceed from any quarter, or distance, from which the operator chose to transmit it. The illusion was so very strong, that, prepared as the abbé was for this sort of conversation, his mere senses were absolutely incapable of undeceiving him. Though conscious that the voice proceeded from the mouth of M. St. Gille, that gentleman appeared absolutely mute, while he was exercising this talent; nor could the author perceive any change whatever in his countenance. He observed, however, at this first visit, that M. St. Gille contrived, but without any studied manner, to present only the profile of his face to him, while he was speaking as a ventriloquist.

Another equally curious anecdote is the following:—M. St. Gille, returning home from a place whither his business had carried him, sought shelter from an approaching thunder storm, in a neighbouring convent. Finding the whole community in mourning, he enquired the cause, and was told that one of their body had lately died, who was the ornament and delight of the whole society. To pass away the time, he walked into the church, attended by some of the ecclesiastics, who showed him the

tomb of their deceased brother, and spoke feelingly of the scanty honours they had bestowed on his memory. Suddenly a voice was heard apparently proceeding from the roof of the church, lamenting the situation of the defunct in purgatory, and reproaching the brotherhood with their lukewarmness and want of zeal on his account. The friars, as soon as their astonishment gave them power to speak, consulted together, and agreed to acquaint the rest of the community with this singular event, so interesting to the whole society.

M. St. Gille, who wished to carry on the joke still further, dissuaded them from taking this step, telling them that they would be treated by their absent brethren as a set of fools and visionaries. He recommended them, however, immediately to call the whole community into the church, where the ghost of their departed brother might probably reiterate his compliments. Accordingly, all the friars, novices, and laybrothers, and even the domestics of the convent, were forthwith summoned and collected together. In a short time, the voice from the roof repeated its lamentations and reproaches, and all the members of the convent fell on their faces, and vowed a solemn reparation. As a first step, they chaunted a *de profundis*, with a full choir; during the intervals of which, the ghost occasionally expressed the comfort he received from their pious exercises and ejaculations. When all was over, the prior entered into a serious conversation with M. St. Gille, and, on the strength of what had just passed, sagaciously inveighed against the absurd incredulity of modern sceptics, on the article of ghosts or apparitions. M. St. Gille thought it now high time to disabuse the good fathers. This purpose he found it extremely difficult to effect, till he had prevailed upon them to return into the church, and then witness the manner in which he had conducted this ludicrous deception.

In consequence of three memoirs presented by the Abbé de la Chapelle to the Royal Academy of Sciences, at Paris, in which he communicated to them the observations he had made on the subject of ventriloquism in general, and those he had made on M. St. Gille in particular, that learned body deputed two of its members, De Fouchy and Le Roi, to accompany him to St. Germain-en-Laye, in order to verify the facts, and to make their remarks on the nature and causes of this extraordinary faculty. In the course of this inquiry, a singular plan was laid and executed, to put M. St. Gille's powers of deception to the trial, by engaging him to exert them in the presence of a large party, consisting of the commissaries of the academy, and some persons of the highest quality, who were to dine in the open forest near to St. Germain-en-Laye, on a particular day. All the members of this party were in the secret, except a certain lady, here designed by the title of the Countess of B—, who was pitched upon as a proper victim to M. St. Gille's deceptive powers, as she knew nothing either of M. St. Gille or ventriloquism; and possibly, we should think, for another reason, which the abbé, through politeness, suppresses. She had only been told, in general, that this party had been formed in consequence of a report that an aerial spirit had lately established itself in the forest of St. Germain, and that a grand deputation from the Academy of Sciences were to pass the day there to inquire into the reality of the fact.

M. St. Gille, it is not to be doubted, was one of the select party. Previously to his joining the company in the forest, he completely deceived even one of the commissaries of the academy, whom he accidentally met.

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sive. From them we have made a compilation, which we intend to publish in a series of numbers, in the hope that they may instruct the young horticulturist, and at the same time amuse those who are proficient in the art.

Vegetation, in all its departments, is entirely dependent on the order of nature. Whether we speak of trees, shrubs, or herbaceous plants, their principles are equally the same; that is to say, they all alike draw their nourishment from their roots, which nourishment is conveyed through proper vessels into the stem, the branches, the leaves, the flowers, and the fruits. In order to show, with more distinctness, by what means every plant receives and distributes nourishment to all its several parts, we may draw a parallel between plants and animals. It is certain that life, be it animal or vegetable, must be maintained by a due circulation and distribution of juices in the bodies they are to support. By the aid of microscopes, the several vessels which are contained in a plant, may be traced, and the course of the juices, through these ducts and channels, may be thus easily discovered. The sap circulates in the vessels of plants, much after the same manner as the blood does in the bodies of animals. We shall commence this inquiry, by a short description of the vessels in plants, and their situation.

First.—The root of a plant is of a spongy nature, ready to imbibe such humid particles, as are fitted to be received into its pores; and we may observe, that the various qualities of different plants depend chiefly on the size of the pores in their roots, by which they receive their several nourishments.

Secondly.—We must understand that the wood of every plant is composed of capillary tubes, running parallel to each other, from the root (upright) through the trunk. These cavities are generally so small, that they are hardly to be discerned by the naked eye, unless in a piece of charcoal, cane, or oaken board. These vessels renew and augment themselves every year, as we may observe by cutting a tree horizontally, which will discover to us the lateral shootings, and the annual additions of the pipes; and this is the reason why the trunks of trees increase in their circumference. These tubes, for the sake of distinction, we shall call arterial vessels, and through them the sap rises from the root in fine vapour, for their cavities are so small that it would be impossible they could admit any thing, whose parts were so dense as those of a liquor.

Thirdly.—The passages, or pipes, by which the sap returns downward, are much more open than the former, and are capable of receiving a liquor into them. These are placed immediately on the outside of the arterial vessels, between the wood and inner bark, and lead down directly to the covering of the root. They perform the office of veins, and contain the liquid sap which is found in plants in the spring and summer months.

Fourthly.—The bark of a tree is of a spongy nature, and by many little strings which pass between the arterial pipes, it corresponds with the pith. These pipes are so interwoven with one another, that they form a sponge-like body, which absorbs the air, and thereby nourishes the plant, and keeps the whole body in health; and that this is the use of this spongy body, is certain, because when we keep a plant in a close place, or exclude the air from it, it soon languishes, and makes small shoots, which are certain signs of sickness.

Fifthly.—The pith is composed of little transparent globes, chained or linked together as are the bubbles which compose the froth of any liquor.

In fact, a plant may be compared to an alembic, which distils the juices of the earth. The root having sucked in the salts of the earth, and thereby filled itself with proper juices for the nourishment of the tree, these juices are set in motion by heat, that is to say, they are made to evaporate into steam, as the contents of a still will do when they begin to warm. Now, as soon as this steam or vapour rises from the root, its own natural quality carries it upward to meet the air; it then enters the mouths of the several arterial vessels of the tree, and passes up them to the top, with a force answerable to the heat that puts it in motion; by this means it opens (gradually, as it can force its way) the minute vessels which are rolled up in the buds, and expands them by degrees into leaves. Thus, when we give a forcing heat to the root of a plant, it grows quicker than when it has only a moderate heat. But as every vapour of this kind when it feels the cold, will condense and thicken into a water, so when this vapour rises through the arterial vessels, and arrives at the extreme parts of them, to wit, the buds of a tree, it there meets with cold enough to condense it into a liquor, as the vapour in a still is known to do. In this form it returns to the root down to the vessels which do the office of veins, lying between the wood and inner bark; leaving, as it passes by, such parts of its juice as the texture of the bark will receive, and which may be requisite for its support.

The following experiment, made by the ingenious Mr. Lawrence, more than a century ago, which he has mentioned in his "*Clergyman's Recreation*," relating to the jessamine, may convince us of the certainty of the sap's circulation in plants. We shall give it in his own words.

"Suppose a plain jessamine tree spreading itself into two or three branches from one common stem near the root. Into any one of these branches, in August, inoculate a bud taken from a yellow striped jessamine, where it is to abide all winter; and in the summer, when the tree begins to make its shoots, you will find here and there some leaves tinged with yellow, even on the other branches not inoculated, till, by degrees, in succeeding years, the whole tree, even the very wood of all the tender branches, will be most beautifully striped and dyed with yellow and green intermixed." He further adds, that "though the inoculated bud should not shoot out, or that it should live but two or three months, and after that happen to die, or be wounded by accident, yet even in that little time it will have communicated its virtue to the whole sap, and the tree will become entirely striped."

The famous Bradley, Professor of Botany in the University of Cambridge, tried this experiment with perfect success, and he says that it gave him the first idea of the motion of the sap, and induced him to make further inquiries. After this acknowledgment, the professor adds the following remark: "But for a more immediate satisfaction on this point, we may have recourse to any one of the tithymels, or milky plants, and upon cutting their leaves, we shall plainly discover the vessels through which the milk flows to maintain the life and growth of the plant."

The motion of the sap continues in a plant as long as the sun's warmth can keep it in a fluid state, but is condensed or thickened by the cold of winter, and is thereby changed into the consistency of gum, and, being thus stagnated, it cannot flow any more, till the warmth of the following spring, or some artificial heat, rarifies it into its former liquid state. It then renews its former vigour, and pushes forth branches, leaves, &c. But we must not suppose that it is only the melted sap

that does that office of germination ; the root has not been idle, while the branches have stood still ; it has not lost the moisture of the preceding autumn to impregnate and furnish itself with proper salts or nurture, from whence the tree is to be maintained. Here is a supply laid in, to furnish food for the summer, as some industrious animals will do to nourish themselves in the winter.

In the next place, it may not be amiss to confute a common opinion, to wit, that the sap returns to the root in winter ; for, if it did so, how comes it that trees, which are cut down in November and December, will put forth branches and leaves in the following spring, although they have neither roots nor earth to feed them ? This plainly shows, that the sap is condensed or thickened in the tree, during its circulating course, by extreme cold, and remains in that gummy state till the warmth of the spring, as we have already remarked, liquifies it, and by the vapour which must then arise from it, the buds are pushed forth, so long as there is matter sufficient to feed them.

From what has been said, it appears that plants have a circulation of sap, and proper means whereby to supply themselves with nutriment ; and it is also certain that all plants, in their several kinds, require different sorts of food, one from another, on the same principle that various sorts of animals subsist on different diets. Between them we may institute the following comparisons, which will make this view of the subject more palpable.

Land animals may be compared in general to those plants which are called *terrene*, because they can only live upon earth, such as oaks, beech, elms, &c.

Amphibious animals, such as the otter, beaver, tortoise, frogs, &c., which live as well on the land as in the waters, may be compared to the willow, alder, minths, and such others.

Aquatic animals, whether inhabitants of rivers or of the sea, are analogous to the water plants, such as water lilies, water plaintains, &c. which only live in rivers or fresh water ; or to the fuci, sea weeds, corals, coralline, &c., which are marine plants ; for not one of these will live out of its proper element.

Nor does the comparison cease here. As the several land animals have their respective diets, so likewise have the *terrene* plants their several soils from whence they draw their nourishment. As some animals feed on flesh, others on fish, roots, leaves, grain or fruits ; so we find that some plants love clay, others loam, sand, gravel, &c. Nor is this all that we ought to observe. We should carefully consider in what situation we rear plants, for much depends on locality and aspect, whether in a valley, on the sides or tops of hills ; whether exposed to the south or north winds, or inland or near to the sea ; for it is a proper air that keeps a plant in health, and fits it to receive its nourishment. A certain degree of warmth, natural to each plant, is also worthy the attention of the young horticulturist ; for it is a warmth, natural to each plant, that puts its juices in their proper motion.

In our next number we propose to explain the philosophy of the generation of plants.

THE ROMAN DE ROU.—No. 4.

(Continued from page 364 of our second volume.)

THE murder of William Longsword by Arnoul, count of Flanders, created the liveliest indignation and the most profound regret among the Normans and Bretons. His youthful son, by his mistress Sprote, then only ten years of age, exhibited an astonishing feeling at this unfortunate catastrophe, and Wace describes him as being unusually sensible of the irreparable loss he had sustained by the death of his father. The barons and bishops, however, swore fealty and homage to him, and all classes readily admitting his claim to the succession, he was raised to the dukedom by the title of Richard the First. Bernard, surnamed the Dane, and Osmond, his preceptor, seem to have acted as his ministers, and they administered affairs with impartiality and firmness, repressing the exactions of the barons, and punishing every violation of the law.

Shortly after the accession of the young prince to the ducal dignity, Louis d'Outre Mer, who, our readers will recollect, was reinstated in the throne of France by the assistance of William Longsword, came to Rouen, under the pretence of offering his protection to the young duke, and consulting with the Norman barons, as to the measures necessary to be taken for the punishment of Arnoul. Masking his real designs under these specious promises, he persuaded the guardians of Richard to allow him to reside in the palace occupied by himself during his sojourn in the capital. Having so far succeeded in his plot, his next object was to carry him off into France. Bernard and Osmond, having penetrated through his treachery, communicated their suspicions to the people, who instantly rose in arms, and demanded the restoration of their prince. Louis, intimidated, released him, and guaranteed him the quiet possession of his dominions. By these acts he dissipated all suspicions, and he still further increased the confidence of the Normans by acknowledging his great obligations to William Longsword, and swearing on the oath of a king that he would never injure his son. He moreover promised to punish Arnoul, and then proposed to superintend the education of Richard during his minority, for which purpose he requested to have him brought up under his own eye. In this duplicity he was successful, and took his departure from Rouen, accompanied by the young duke and his preceptor, Osmond.

The crafty Count of Flanders soon received intelligence of these events, and being uncertain in his mind whether Louis would really attack him or not, he determined to be on the safe side if possible, and avert the threatened storm by bribes. He dispatched an embassy to the French king, with ten pounds weight of gold, with the promise of further remittances, and he distributed considerable largesses among the royal favourites and the most influential of the nobility. His emissaries declared that Arnoul would ever be faithful to Louis: that he would have paid his obeisance in person, had he not been confined at home by the gout; and that he would justify himself from the charge of having sanctioned the murder of William Longsword. In answer to these declarations, Louis demanded the advice of his barons and chevaliers, pretending that his conscience must be fully satisfied, and that no one should be able to accuse him of having participated in the alleged crime of Arnoul, by leaving it unpunished. The French nobles, being all bribed, pleaded stoutly in favour of the murderer. They insisted that mere sus-

picion ought not to condemn him ; that the king would act partially and unjustly, unless he heard evidence ; that Arnoul gave a presumptive proof of his innocence by offering to stand his trial before Louis ; and, finally, they insisted that no measures of violence against him were justifiable. These arguments accorded with the views and wishes of the faithless and ungrateful Louis, and he, of course, received them with every possible complacency.

The deputies of Arnoul, thus satisfied that their master incurred no danger from the vengeance of Louis, became more emboldened, and plainly told him the policy that the Count of Flanders recommended him to pursue. They advised him to imprison Richard, and seize upon Normandy. They urged him to hamstring the young duke, a cruelty often practised under the first and second races of the French kings. They reminded him that Normandy once belonged to his predecessors, and observed that William Longsword, as the illegitimate son of Rollo, had no valid title to the dukedom. They stimulated his ambition and avarice by every argument, saying that his ancestors used to receive great assistance both in men and money from the province over which he, their descendant, now exercised no power or jurisdiction.

The deputies of Arnoul completely gained their point. Louis, then at Laon, orders the young prince into his presence, and commands him never to stir out of the town. He lays the same injunction on Osmond, his faithful guardian. It may here be observed, en passant, that the noble family of Osmond, at the present hour dukes and peers of France, claim their descent from this preceptor of William ; and to commemorate the part he took in the deliverance of the duke, they bear on their coat of arms the representation of a flight of hawks in a field, gules.

Richard waited on the king and queen at table ; but this was not deemed a degradation in those times. It was the customary duty of all young princes ; and in much later times we find Edward, the Black Prince of England, attending his prisoner, John, king of France, at the first meal served to him after the battle. As old Froissart says : "*Ce faisaient pour être duits à cortoisie et galantise.*" Wace tells us that Richard was handsome and amiable, and much beloved by all the attendants in the palace, for the gracefulness of his appearance, and the mildness of his address. His popularity disgusted the queen, who was not only jealous that he should show to more advantage than her own son, but also because he stood between her child and the Norman succession. Upon his ruin she resolved, and denounced him to Louis, as having been outside the town with his dogs and birds. The king was highly incensed at this information, and threatened to put out the eyes of Osmond, and canterize the feet of Richard. This is, no doubt, the real sense of the passage, (verses 3029 and the following,) and it appears that some omission exists in the printed copy ; for, in the actual state of the text, we must go back twenty lines to find the name of Osmond. Wace, however, has almost literally translated the speech that Dudo of St. Quentin puts into the mouth of the king, when he menaces Osmond : *Senioris tui poplitibus coctis, privabo te oculis, si fors eum quoquam amplius duxeris.* In William of Jumieges, the reproaches and threats of Louis are addressed to Richard alone ; and they are accompanied by the most unmanly and ungenerous sarcasms. He calls the young prince *Meretricis filium, ultro virum alienum rapientis.* This injurious designation was very common in the middle ages, of which many other examples appear in Wace ; the

allusion of the king was to the union of William Longsword and Sprote, a species of marriage, emphatically termed by the old French historians "*un mariage à la manière Danoise*," or simple concubinage.

Osmond, now fully convinced of the vindictiveness, hatred, and treachery of Louis, contrives to send a messenger to Rouen, with intelligence of Richard being treated as a prisoner, and as being exposed daily to mutilation, or even death. This news created universal consternation and lamentation. The bishops and clergy offered up prayers in the churches for his deliverance, and the military vassals vowed vengeance against the French. William of Jumieges relates that a fast of three days was ordered: but Dudon, always more emphatic in his chronicle, says that this fast of three days was to be renewed every month till Richard had been liberated from captivity: *Tridunum jejunium in uno quoque mense populo indicentes*.

In the mean time, the faithful Osmond encourages his young charge to hope for better days, and put his trust in God; and foretels the time of retribution and revenge. He then assures him that he has hit on a scheme for his deliverance. He proposes that Richard should feign sickness, and confine himself to his bed, and refuse either to eat or drink. He advises him to call for the spiritual aid of a priest, (*li proveoine*), and after a few days to pretend to be dead. This advice the young prince promised to obey, and he plays his part to admiration. One night, when the king was at supper, the guards, who watched the young duke, having heard that he was dead, quitted their post to amuse them. Osmond, being on the watch, profited by their absence; roused the prince; concealed him in a bundle of straw; carried him into the courtyard; then placed him before him on horseback, and escaped out of the town. He had stationed another horse at an appointed place; on his arrival there, the young duke mounted, and they both arrived safe at Couci, a castle belonging to his uncle, where they returned thanks to God and St. Leonard.

St. Leonard still retains some share of his old veneration in the district of Bessin. In former times, many churches and chapels were dedicated to him, one of the most famous of which existed at Vernay in the forest of Cerisy, anciently called Du Bur. The assistance of this saint was more particularly prayed for by prisoners, who found it difficult by their own efforts to regain their liberty. Many instances of this kind are recorded in the famous "Golden Legend," in which several miracles are attributed to St. Leonard.

Almost all the Norman historians have represented the castle of Couci, in which the fugitives found a retreat, as belonging to Bernard, of Senlis. We shall presently enter upon some particulars relating to that individual. In the mean time, we may observe that Couci-le-Châtel did not belong, at this epoch, to any secular lord, but to the Archbishop of Rheims. *Codicia cum episcopi remensis castrum. Flod: anno: 927*. Count Thibaud seized on it several times, but he was always compelled to restore it to the legitimate owner. It is unfortunate for the accuracy of the old chroniclers, that this castle is of one of those whose history is the best authenticated, and gives them the most unqualified contradiction, as we shall show in the proper place.

When Louis found that the birds had flown, his rage was ungovernable, and he vowed to hang or burn the two captains of the guard, Roscelin and Girart. In the mean time, Osmond, leaving Richard safe in the castle of Couci, rode on immediately to Senlis, where the uncle of the

young duke, as Wace considers him to have been, was then residing. He found him in bed, but instantly awoke him, and communicating the cause of his arrival, Bernard was overjoyed. He immediately dressed himself, and hurried forward to Paris, to demand the protection of the powerful Duke Hugh, of whom we have formerly made mention, on behalf of his nephew. The duke was a vassal of Louis, and refused to do any act contrary to his fealty; but, at the same time, he promised to remain neuter, and abstain from injuring the pretensions of Richard to the dukedom. With this answer Bernard returned, and conducted his nephew from Couci to Senlis.

In reference to the relationship which Wace supposes to have existed between this Bernard and Richard, there is manifestly an error; though all the Norman historians adopt his view. For, even were it clearly proved that the Duchess Leutegarde had a brother named Bernard, still there could have been no consanguinity between him and Richard, who was the son of Sprote, and she certainly was not his sister. It is moreover certain, that this Bernard, Count of Senlis and Valois, who undoubtedly lived at this epoch, was only the cousin-german, and not the brother, of the Duchess Leutegarde. Therefore, supposing that this count did really assist in restoring Richard to his dukedom, the reader must not attribute his interference to the claims of relationship. It is difficult to imagine how Dudon, who lived nearly about the time of these transactions, and in the close vicinity of the scene where they took place, should have put forward so manifest an error, by which his copyists have been deceived, when it might so easily have been avoided.

When the first rage of Louis had subsided, he determined again to secure his prize by policy and negotiation, and summoned Arnoul, Count of Flanders, to his assistance. That wily and unprincipled chieftain advises him to win over Duke Hugh to his interests, by offering him one half of Normandy, as a reward. This was done, and the duke accedes to the terms. This is the account of Wace: but the French cotemporary historian, Frodoard, gives a very different version, and if we accept his statement as authentic, and it appears much the more probable, then we must conclude that all the Norman chroniclers have strangely disfigured the facts which followed the death of William Longsword. Frodoard declares that it was not before this interview, relative to the partition of Normandy, that Duke Hugh succeeded in reconciling Louis with Arnoul. Up to that period, the king refused all intercourse with him, and gave the government of Rouen to Herlouin, who made war on the Count of Flanders, killed the assassin of William in battle, and cut off his hands, which he sent to Rouen, as an expiation of his crime. According to Frodoard, Louis only came to Rouen to release the young Richard from the tyranny of a Norman, named Turmode, who had relapsed into idolatry, and was carrying on secret negotiations with the pagan king Setric; both of them were killed in a battle against the French. All these events belong to the year 943. At the commencement of the following year, it seems that the Normans were still independent, since they formed a treaty of alliance with Duke Hugh, and waged a bloody war with the Bretons. It was, then, only at the close of the year 944, that Louis, having reconciled Arnoul and Herlouin, executed with Duke Hugh the treaty for the invasion of Normandy.

As soon as the news of this compact was made known, Bernard, of Senlis, went to Paris, where he reproached Duke Hugh with his breach of

faith, and prophesied that Louis would only make a tool of him as long as it suited his purpose, and he further told him that he would not retain his share of the spoil for more than a twelvemonth. However, Hugh replied that he would fulfil his engagements with the French king, so long as the terms of their contract were respected; but that if Louis made any attempt to overreach him, in that case he would withdraw his forces. Bernard, of Senlis, then went to Bernard the Dane, to consult about the prosecution of the war; but the Dane declared that all defence was useless, and he recommended submission, lest their towns should be sacked and their fields ravaged.

The invaders, having completed their preparations, enter Normandy on an appointed day, and the Normans, following the advice of Bernard the Dane, lay down their arms, and Louis enters Rouen, where he was received with every honour, and the loudest demonstrations of joy. The people, however, were astonished at this tame surrender on the part of Bernard, and more particularly at the marked respect he paid to the king. The Dane soon wormed himself into the royal confidence, and as soon as he felt his power, he began to exert it. He assured Louis that he took no part in the escape of Richard; that the blame solely attached to Osmond; and he protested that he did not know where the young duke was concealed. He then said that he owed many obligations to William Longsword, and that he would certainly have protected Richard if he had given any promise of imitating his father's virtues; but, for the sake of his countrymen, he was happy to do homage to a wise king and reject a wrongheaded boy. Louis is well pleased with this discourse, and swears by the oath of a Christian that he never intended to have hurt a hair of Richard's head.

Bernard then tells the king that the terms of his bargain with Duke Hugh have got wind, and beseeches him to say, if he had really conceded to him the whole of Lower Normandy. On being answered in the affirmative, he expresses the greatest astonishment and indignation; he reminds Louis, that Duke Hugh had resisted his accession to the throne of France, and that he only gave his consent at the instigation of William Longsword; and he then nettled his pride by repeating many of the contumelious and insulting expressions, which the duke was wont to apply to him before his elevation. He then told him that Hugh's share of the partition contained all the most fertile land; that the inhabitants were the bravest of the Normans; that the district could raise ten thousand horsemen; and that the agricultural villains were the most skilful and most industrious of the whole population. "Will you then," said Bernard, "deprive a little boy of his inheritance, and give it to such a felon, traitor, and tyrant, as Hugh?"

This speech had the desired effect, for Louis declared that he was quite ignorant of the advantages he had thrown away. He further promised that he would cancel his bargain, and he kept his word, for he immediately dispatched a messenger to Hugh, ordering him to evacuate Lower Normandy. The rage of the duke was excessive, but he was compelled to submit. The messenger reached him at Bayeux, to which he was laying siege, and as the year 945 had not yet commenced, his possession of the spoil was but short. On his departure, Louis took possession of the whole province.

Bernard, of Senlis, then goes again to Paris, and sees Duke Hugh, whom he ridicules for his folly in trusting to Louis, and predicts the restoration of Richard, sooner or later, to the dukedom.

About this time one of the courtiers of Louis falls in love with the wife of Bernard the Dane, and demands her from the king. He consents. Many other courtiers then prefer similar requests, and this monstrous tyranny spreads hatred and consternation among all the husbands and wives. Bernard is in utter despair, and vows vengeance. Such is the account in the text of Wace, but it is utterly improbable. He copied it from Dudon, of St. Quentin, who says that Bernard lost both his wife and his property. William of Jumieges says not a word about the matter. Nothing can more clearly prove this error, than the circumstance of Wace and Dudon both stating, that, notwithstanding this indignity, Bernard still continued to serve the king, and to correspond with him. We have already cited a fact which contradicts the assertion of the Norman historians, when they say that Bernard exercised a vice-regal authority: we allude to the government of Rouen being confided to Herloin.

Richard still remained at Senlis, under the protection of the count, by whom he was treated with every mark of respect and affection. We have already shown that no real relationship existed between them; and it is very difficult to decide what part this Bernard really performed in the events which led to the restoration of the young prince to the dukedom of Normandy. Frodoard cites a sufficient number of facts, and supports them with sufficient evidence to destroy a great part of the superstructure which the Norman chroniclers have raised on a sandy foundation, but still he does not supply materials to reconstruct the fabric which he subverted. We see this Bernard, in 945, waging war against the French king and plundering even his horses and his dogs; after which, Louis, at the head of the Normans, invades the Vermandois; and, finally, Bernard accompanies him to the siege of Rheims.

Wace now brings on the stage one Raoul Torte, whose tyranny and malversation had excited the greatest discontent among the Normans. We shall meet him again after the restoration of Richard to the dukedom, when we shall enter into many particulars which relate to this character. At present, we shall only observe that the rank of lieutenant to Louis, which Wace assigns to him, on the authority of William of Jumieges, cannot be reconciled with that of treasurer to the young duke, which we shall prove that he held at a later date. However, his cruelty and extortions roused the people to arms, and Bernard the Dane opens a communication with Harold. The Norman historians do not agree among themselves as to the circumstances which preceded this intervention of Harold. Those who are curious on these points of their ancient annals, are referred to M. Depping's "*Histoire des Expéditions Maritimes des Normands*."

According to the text of Wace, Harold determines to assist Bernard, and he soon arrives with a large fleet at the mouth of the river Dive, and lands his troops at Barent, at a league and a half distant from Troarn. The inhabitants of Lower Normandy immediately revolt, and join his standard. And here we find a very curious fact, which we cannot pass over without recording. Wace says that the country people brought provisions to the camp of Harold,—bread, meat, and *salted fish*; and though the nature of the fish is not described, yet M. Auguste Le Prevost, one of the most learned and acute of modern antiquarians, in commenting on this passage, seems to consider the fish to be herrings: for he remarks, "The art of salting and curing herrings is not due to the Dutch, as it has often been repeated without proper examination." The words of Wace are these:

Pain aportent è char, poisson salé e freiz,
Par la terre o charoi, par le mer o escheiz.* v. 3630.

Bernard the Dane dissembles his joy at the arrival of these succours, and sends the king word of the invasion. Louis assembles his army, and marches against Harold. Before the sword is drawn, Bernard recommends an interview between the hostile monarchs, which takes place. Among the persons present with the French negociators is Herlouin, which excited the indignation of a Norman. A Dane participates in this feeling, and loudly accuses him of baseness in being one of the attendants of Louis, the protector of Arnoul, the murderer of William Longsword. Roused by passion, he rushes on Herlouin, and slays him. This gives rise to a general battle, in which the French are defeated. Frodoard does not mention the death of Herlouin, but he says nothing to invalidate the text of Wace, or even to render it doubtful. We see from the narrative of Frodoard, that Louis arrived at Rouen with Herlouin before the interview with Harold; and two years afterwards, in 947, he tells us that Louis, assisted by Arnoul, besieged unsuccessfully the castle of Montreuil, then belonging to Roger, son of Herlouin. Now, the interview, and the captivity of Louis, according to Frodoard, both occurred in 945: consequently we may conclude that Herlouin died between these two dates; and it is very probable that he was killed in the manner that Wace relates.

The French army being defeated, Louis endeavoured to secure his person by flight, but he was not so fortunate. His bridle rein had been cut in the battle, and his horse became restive. Some Norman cavaliers seized him, but he succeeded in bribing one of them to aid his escape, and he lay concealed for some days in one of the small islands with which the Seine is studded. But Bernard the Dane found out his retreat, and conducted him prisoner to Rouen.

The French queen was at Laon, awaiting the return of her husband. When the news of his captivity reached her, she dispatched a messenger to her father, Henry, emperor of Germany, to intercede for his release. This he positively refused to do, saying that Louis richly deserved his fate; that his attempt to disinherit the young duke was most unjust, and that his crime was aggravated by his ingratitude, as he was indebted for his own throne to William Longsword; that he was rightly punished for giving his confidence to Arnoul and Herlouin; and that he was undeserving either of pity or assistance. The queen then convenes the peers and the clergy, and they determine to send one of the king's sons, as a hostage for his father.

Such is the account of these transactions, according to the text of Wace. It is quite certain that Henry, emperor of Germany, had been dead nine years before the defeat and captivity of Louis; so that if queen Gerberge solicited the interference of any emperor on behalf of her husband, it must have been Otho. But the fact is, that the liberation of Louis was the act of Duke Hugh, whose name we have frequently mentioned. Many discussions took place among the Normans, on the question of hostages. They insisted on having the king's two sons; but the queen would only consent to part with the younger. In this difficulty, Guy, bishop of Soissons, offered himself in place of the elder, and he was at last accepted. According to the French historians, the bishop of Beauvais was included among the hostages. This Guy, bishop of Soissons, was

* Esquifs, bateaux légers: Anglicé, skiffs.

son of Fulk the Red, count of Anjou. He was raised to the episcopal dignity in 937, and died in 973. According to the speech of William the Conqueror, addressed to his army before the battle of Hastings, the French monarch had to submit to the most humiliating terms.

"Did not your ancestors," says William, "capture the king of the French, and imprison him at Rouen, until he restored Normandy to the boy Richard your duke, on the express condition that in every interview between the king of France and the duke of Normandy, the latter should be girded with a sword, and the former present himself without a sword, or even a knife?" *

After this arrangement had been concluded, Richard takes possession of the duchy, and Louis exempts him from all feudal services both in Normandy and Brittany. This was ratified at a solemn meeting held, according to Wace, at Gerberoi, a town in Picardy, five leagues distant from Beauvais. Dudon of St. Quentin and William of Jumieges change the locality to Saint-Clair-sur-Epte. Wace also says that Harold was present at this assembly, but this rests on his own authority, and he probably confounds it with the interview between Harold and Louis, in 945, where Herlouin was slain.

Richard now makes his solemn entry into Rouen, and takes full and quiet possession of the ducal throne. How he conducted himself in that station, our readers will learn in the next number.

HISTORICAL NOTICES OF THE CHANNEL ISLANDS.—No. 5.

(Continued from page 375 of our second volume.)

WHILE Guernsey thus held out with unshaken fidelity to the parliament, and maintained the great principle of civil and religious liberty, the sister island of Jersey displayed an equal zeal for the king, and advocated the slavish doctrine of divine right. Sir George Carteret fitted out about ten armed vessels which cruised against ships carrying a parliamentary commission, and such was the activity and skill of these Jersey sailors, that even this insignificant force struck terror into all the merchant service. They greatly interrupted trade in the channel, and the English merchants sustained so many losses, that few would hazard their property, unless protected by convoys. But this was not the only injury which these cruisers inflicted on the parliamentary cause. They provisioned the garrison of Elizabeth Castle with stores from the captured vessels, and thus strengthened the means of protracted defence.

The parliament held on the 22d June, 1643, conferred on Lord Warwick the government of Jersey, as well as of Guernsey; and he nominated Leonard Liddcot as his lieutenant. That officer arrived in Jersey on the 29th August, duly empowered to execute the duties of his office. He had been informed that the great majority of the inhabitants were secretly attached to the interests of the parliament, and only required the presence of an authorised leader to abandon Sir George Carteret and his adherents. Under this erroneous impression, he looked forward to a speedy termination of the contest; but he was painfully disappoint-

* *Nonne patres vestri regem Francorum in Rotomago ceperunt et tenuerunt, donec Ricardo puero duci vestro Normanniam reddidit, eo pacto quod in omni collocazione regis Franciæ et ducis Normanniæ gladio dux accingeretur, regem vero nec gladium nec etiam cultellum ferre liceret.*

ed, and the commissioners had soon cause to repent their infatuation, and Liddcot, his credulity. He found the castles so vigorously defended, and the feelings of the people so decidedly in favour of king Charles, that, after a residence in the island of two months and twenty-three days, he and many of his party retired in disgust to England.

His Majesty then held his court at Oxford, from which he issued the following proclamation, dated on the 18th of July, offering a free pardon to such of his Jersey subjects as were disaffected, and who promised to return to their allegiance, with five exceptions. It may fairly be inferred from this document, that the vast majority of the Jerseymen were royalists, and, with the small limitation already mentioned, that few even of those who had opposed his claims, had acted from any steady principle.

“By the King. His Majesty having received certain information that many of his subjects, the inhabitants of the isle of Jersey, notwithstanding the many graces and favours from time to time received by them from his Majesty’s hand, through the false information and miscounselling of a very few seditious spirits among them, most of them being factious ministers, have lately fallen from their allegiance and duty to their liege lord and sovereign, his sacred Majesty, and adhered to those who, as committees from or for the Houses of Parliament, so styling themselves, have traitorously drawn them into the horrid rebellion which hath spread through most of this kingdom and in that isle, and have violently possessed themselves of the estates of many of our good and loyal subjects, imprisoned some of them, and some they have compelled to go on shipboard, and carried them away from their habitations in a very barbarous and inhuman manner, whereof some of these sufferers are ancient men and grave divines :

“Nevertheless, his Majesty being graciously inclined to pity his subjects, and impute these their high offences to the malice of those few who have been their misleaders, so soon as they who have been thus seduced will speedily return to their obedience, and continue therein for the time to come, doth by these presents grant, publish, and declare his royal and gracious mercy and free pardon to all the inhabitants of the said isle, who, within three days after the publishing of this proclamation, shall return to their former obedience, and submit themselves unto his Majesty, and express their sorrow for what is past, and promise and undertake to the governor of the isle, constantly and faithfully to continue in their duty and allegiance to his Majesty for the future :

“But if the said inhabitants shall not lay hold of this opportunity offered unto them out of his Majesty’s grace and goodness, his Majesty, being justly provoked thereunto, doth resolve to resume all their charters and privileges formerly granted unto them, and to take the just forfeiture of their estates, according to law.

“Given at our court at Oxford, this 18th day of July, in the nineteenth year of our reign, 1643.”

This proclamation produced the full effect desired by the king, and from that period to the surrender of the island to Admiral Blake, the Jerseymen remained faithful to the unfortunate and deluded Stuarts, the reigning sovereign, and the future Charles the Second.

On the 24th October, 1643, Sir George De Carteret took the oaths as lieutenant-governor and bailiff of Jersey, the Earl of St. Albans, who was governor, being in personal attendance on the queen. His installation into office was soon followed by the complete extinction of the remnant of the parliamentarians. The inhabitants of St. Brelade’s parish, who were warmly attached to the royal cause, attacked and captured from the opposite party, the tower of St. Aubin, and compelled them to retire with the greatest precipitation. De Carteret immediately put in force his authority, and though Liddcot, with many of his adherents, had escaped punishment by flight, yet those who remained felt the full weight of his vengeance. He imprisoned all who had been most active and conspicuous in defence of the parliament, and as soon

as the commissioners, appointed by Charles, had arrived in the island, he imposed on them very heavy fines, and the greatest part of the property of those who had quitted was confiscated and sold.

About this time prince Charles had gone to the West of England, in order that his presence might animate the people of those counties, and induce them to join the royal forces. But the parliamentarians pressed hard upon him, and being in imminent danger of being pent up in a nook at the Land's End, he was compelled to seek shelter by passing over to one of the Scilly islands. His stay there was short, and he removed to Jersey, as the most secure retreat the desperate fortunes of his father had now left for his reception. He arrived there on the 17th of April, 1646, and was welcomed with open arms. As many of our readers may feel pleasure in knowing who were his attendants, we shall record their names. On his arrival, he was accompanied by Sir Edward Hyde, lord chancellor of England, better known in history, as Lord Clarendon, Lord Berkshire, his governor, Lord Hampton, Lord Ruthven, Lord Capel, and Lord Wentworth. His retinue was shortly afterwards increased by the arrival of Lord Digby, Lord Colepepper, Sir John Grinfield, Sir Edward Sitwel, Sir David Morel, Sir Charles Morel, and Sir Henry Mannery. He was subsequently joined by Sir Thomas Hooper, Sir Dudley Waite, Sir John Sage, Sir William Baldwin, Sir Edward Hasker, Sir John Maclain, the Solicitor Cook, Monsieur Louvel, Mr. William Hington, gentleman of his chamber, Mr. Smith, his cup bearer, Mr. Finch, his secretary, Mr. Palmer, his esquire carver, Mr. George Vane, Mr. Thomas Jermyn, Mr. Cadfin, Mr. Wisque, Mr. Windham, Mr. Freeman, Mr. Chiffin, Mr. Boulain, a tradesman of the prince. To them were added Doctors Crighton and Carle, his chaplains, and Doctors Woole, Clayde, Blayam, and Watson, and a considerable number of military officers.

At this time the queen of England was in France, and she sent a pressing invitation to the prince to repair to that country, where his person would be less in danger. But this recommendation was opposed by his counsellors, who feared to trust the heir of the English crown among a people who had shown so much indifference to the fortunes of his father. The Lords Capel and Colepepper were, accordingly, dispatched to France to excuse the attendance of the prince, and they assured the queen, that Jersey was well able to resist any attack from the parliament. These noblemen suspected some sinister understanding to exist between Cromwell and Mazarin, and that, between the two, the prince would be sacrificed. He, however, went to France on the 26th June, after a residence of ten weeks in Jersey.

In reference to this matter, the historian, Falle, remarks :

"The good queen had suffered herself to be deluded by the arts of Cardinal Mazarin, who, about this time, began to intrigue with Cromwell. They wanted the prince in France to make their market of him, and drive the better bargain with England, according as conjunctures should fall out, and times might vary. No promises were spared on their part to decoy him over to them, not one of which they meant to keep, as the prince quickly found, when vanquished by his mother's importunities, and at last, by her most peremptory command, he went and put himself into their hands. How little he was considered or assisted, nay, how much slighted and disregarded, is too unpleasant to dwell on ; but it has often been my admiration, that after he was restored to his kingdom, he would ever put any confidence in so false and so faithless a court."

On this passage from the historian of Jersey, we must make one

remark. Charles the Second never found the court of France "false and faithless." He was the mean and degraded pensioner of Louis the Fourteenth, who supplied him with mistresses and money. He abandoned the Dutch for an annuity, and stained the honour of England to indulge in his beastly debaucheries. This low sensualist has been foolishly styled "The Merry Monarch," but the papers and correspondence of Barillon, then French ambassador at the court of St. James, prove him to have been a mercenary wretch, insensible to any noble feeling, the stipendiary dependent on the coffers of the king of France. His friend Rochester has given the best description of the character of Charles in the following brief phrase: "Charles never said a foolish thing, and never did a wise one."

We must now return to the affairs of Guernsey.—The chiefs of the royalist sedition having been seized, and sent to Lord Warwick to receive punishment, as already narrated, the parliamentary commissioners indulged the hope of having brought the island into a state of permanent tranquillity. But the period of repose was short, and the following information roused them to increased exertions.

On the 12th of September, 1645, Captain Francis Mangler, of the ship *Hollandia*, of Flushing, of four hundred tons, and carrying thirty guns, being driven out of his course by contrary winds, sought shelter in Guernsey roadstead. He declared on oath, before the lieutenant-governor, that, during his stay at St. Malo, Peter De Marley, commanding a Dutch ship in the service of king Charles, had informed him, that John Osdounck, admiral of the royal fleet, then in Falmouth, had sent a letter to him, Marley, who was a nephew of Osdounck, which he allowed the deponent Mangler to read. This letter ordered Marley, and the captains of all the royalist frigates, to repair to Falmouth. Mangler further deposed that, he being very curious to know the reason of this order, the said Marley told him, after much entreaty, that this naval armament was intended to reduce the island of Guernsey into submission to his Majesty. Mangler then stated that, about three weeks ago, when at St. Malo, he had embarked on board his vessel, two hundred seamen, and, accompanied by three others of his Majesty's frigates, was bound to sail to Bordeaux, to take in more men. That the time appointed for the execution of this design, if wind and weather permitted, was the latter end of the present month, September; and, that in order to effect it, Osdounck was to cross the channel from Falmouth with twenty or thirty vessels. Mangler further stated, that Marley had told him, that Guernsey, when reduced, would afford a harbour, secure in all weather, for his Majesty's fleet, and that, as it lay midway between the parliamentary trading ports and the coast of France, his Majesty's ships could avail themselves of every favourable opportunity to put to sea, and capture rich prizes, with the certainty of a secure retreat in case of danger. And the said Mangler further declared, that the Dutchman which conveyed the queen from England to France, and had since secured the Portugal, went lately from Falmouth, laden with tin, to Havre-de-Grace, there to take in ammunition and men, with the intention of landing them at Falmouth, and he expressed his belief that this vessel would form one of the fleet destined to attack Guernsey.

This intelligence excited the greatest consternation among the parlia-

mentary commissioners and the jurats; and, after having maturely deliberated on the lowering aspect of affairs, they determined to depute Mr. Peter Carey as their special ambassador, to proceed to London, and represent the facts, and solicit assistance to repel the meditated attack. For this purpose, he was provided with the following passport from the lieutenant-governor :

"These are to certify to you, that this gentleman, Captain Peter Carey, an inhabitant of this island of Guernsey, has, by many able demonstrations, evidenced his affection and zeal to the parliament's cause, and, to the same has, at all times, contributed his utmost, both of power and ability. He is now by me employed for the parliament, about some urgent affairs, which concern the welfare and security of this place. Wherefore, it is my desire, that he be permitted to pass, with what shall appertain to him, both by sea and land, without any estoppel or hindrance, up to London, and from thence, with the same liberty, to return to this place. Given under my hand and seal, at Guernsey, aforesaid, this 13th day of September, 1645, (Signed) Robert Russell. Addressed to all admirals, vice-admirals, captains and commanders, both by land and sea, on the service of the king and parliament."

The bailiff and jurats then gave Mr. Peter Carey the following instructions, by which he was required to regulate his conduct during this important mission :

"1st.—You will be pleased to go from hence to the admiral, who, as we are informed, lies before Dartmouth, and represent to him the imminent danger in which we are placed, unless assisted with ships, to oppose those that the king intends, as we are informed, to send against this island.

"2ndly.—You will petition the right honourable the Earl of Warwick, that we may have ships to guard us during this winter; and we desire, that you will follow his lordship's orders and instructions.

"3rdly.—That the parliament will order what shall be done with the prisoners, who are detained in the belfry, and ascertain whether they are to be sent over to England, or released upon bail. Many of them have not been the chief actors in the late commotion, as you may represent, but silly fellows, who have large families.

"4thly.—If you obtain ships from the admiral, be pleased to write by them, that we may know they are our friends.

"5thly.—In consequence of what we have written to the committee of both kingdoms, we desire you to do your best endeavour that we may have our licenses for wool, and other things concerning this island, by the means of the right honourable the Earl of Warwick.

"6thly.—Being in London, pray write to us by way of France, and all other opportunities.

"(Signed) Peter de Beauvoir, bailiff. John Bonamy. Michael de Saumarez. Thomas Carey. John Carey."

All these matters having been concluded, Mr. Peter Carey left Guernsey, with a contrary wind, on board a vessel commanded by a Captain Williams, and arrived at Portsmouth on Friday, the 19th of September. He immediately dispatched a courier with his letters to Captain Buttins, to inform him of the object of his journey, and requesting him to use his influence to send vessels to Guernsey. He, then, mounted on horseback, the usual mode of travelling in those days, and arrived in London on Saturday, the 20th of the same month, late in the evening. On the following Monday, he attended the committee, and produced his credentials, and Lord Warwick then presented his letters and instructions. These were instantly read, and the committee resolved to nominate Lord Warwick governor for another year. They also engaged to give Mr. Carey letters to the vice-admiral, desiring him to furnish the vessels prayed for, to the extent of his ability, and further empowered him to receive two hundred muskets, for the use of the island, which Mr. Carey ordered Mr. Henry De La Marche to forward, he then being in London, on his private affairs.

The parliament issued the following orders on this subject :

"Die Martis, 23d September, 1645. It is this day ordered, by the lords in parliament assembled, that the committee for the admiralty do give present orders to the vice-admiral to send sufficient shipping to defend the island of Guernsey."

"Die Jovis, 25th September, 1645. Resolved by the House of Peers, that the Earl of Warwick is hereby made governor of the islands of Guernsey and Jersey, for one whole year, next after the date hereof, as formerly he has been. And the concurrence of the House of Commons is desired thereon."

The following is a copy of the parliament's letter addressed to the vice-admiral, procured by Mr. Peter Carey :

"Vice-Admiral.—Upon some representations, made to the committee of both kingdoms from Guernsey, and from their lordships, reported to the House of Peers, the said house has, by an order of Tuesday last, (a copy whereof we send you enclosed herein,) directed this committee to give you present orders to send sufficient shipping to defend the said island, the necessity whereof will appear by the information itself, a copy whereof we have herewith sent you, and of the execution of which order, we would have you be very careful. We have this day, by another letter, acquainted you with the danger of some of our merchant ships homeward bound, which may, for the present, weaken your abilities to supply these several services; but we desire you to do for both what you are able, whereupon relying we rest, your very loving friends, (signed) Denzil Hollis. Giles Green. Essex. Warwick. Philip Stapleton. Christopher Wray."

Mr. Peter Carey then procured the following letter from Lord Warwick to the vice-admiral, which he was ordered to deliver with his own hand :

"Vice-Admiral.—The parliament have been pleased to command me again to undertake the government of Guernsey and Jersey, upon some late informations given them from the said island of Guernsey, of an intention to disturb the peace and safety thereof, which were communicated to yourself. The House of Peers have given order that a convenient number of ships be sent for the defence of the island, a copy of which order was sent to you from the committee of the admiralty, to which I shall only add my particular desire, that, from time to time as there shall be occasion, you will be careful of that island, the preservation of it, in the parliament's power, being of much importance. For this end, you will spare as many vessels as you can conveniently, until the danger, lately represented, be over, for which end, I hope also to obtain an order for land soldiers, to be sent from hence. This gentleman, the bearer of my letter, Captain Peter Carey, goes down purposely, according to the desire of the lieutenant-governor, lately imparted to you, to whom I pray you give as quick dispatch as you can; and so I rest, your very loving friend, Warwick. Dated London, 29th September, 1645."

On the 1st of October, Mr. Carey finished his negotiations in London, and being most active and indefatigable in discharging the important trust confided to him, he left the metropolis on the following day, and proceeded to Gravesend by water. Landing there, he instantly set out for Canterbury, where he slept that night. Early on the following morning he reached Dover Castle, where the vice-admiral was residing, to whom he presented his letters, and then acquainted him with all the particulars relative to the reported invasion of Guernsey. After a conference of two hours, the vice-admiral granted him seven vessels, which number he affirmed were indispensable, and Mr. Carey immediately embarked on board the *Nicodemus*, which sailed to Portsmouth, to procure a pilot, at which harbour they arrived on the evening of the 4th October. They quitted that same night, and reached Guernsey on the following day. This armament consisted of seven vessels. The *Star*, frigate, Captain Constable; the *Greyhound*, Captain Cottein; the *Robert*, Captain Rue; the *Lily*, Captain Lambert; the *Welcome-Pink*, Captain Green; the *Dove-Pink*, Captain Hazarl; and the *Nicodemus*, Captain Passé. With the exception of the *Nicodemus*, they all remained in

Guernsey, till the plan of the royalist marine was rendered abortive, and the danger had passed away.

Mr. Carey was no sooner in Guernsey, than he announced his arrival to Lord Warwick, in the following letter, which shows that his patriotism was sleepless and indefatigable :

"My lord,—I very humbly thank your excellency for the assistance you were pleased to give me on my last journey, which, through your instrumentality, has been so prompt and efficacious, that the whole island owe you everlasting obligations. For myself in particular, I know not how to express my gratitude. We have now, God be praised, and your excellency thanked, six frigates, which will render us great assistance, in case we should be attacked by the enemy. Two of them, however, those of Captain Cottein and Captain Green, have only provisions for fifteen days. May I hope that your excellency will be pleased to order that their deficiencies be supplied. The vice-admiral had promised me, that he would send over the Providence and the Expedition. Will your excellency be pleased to command those vessels to repair to this station. We specially require the presence of Captain Williams, who would be very useful in this island, and also a Major Bamel, with the soldiers for Serk. Your excellency will be pleased to excuse the importunate boldness that I take; but our condition is such, that, under Providence, we entirely depend on the vigilance and protection of your lordship.

Yours, &c. (Signed) PETER CAREY."

Lord Warwick duly appreciated the zeal and talents of Mr. Carey, and, as we learn from the following letter, he appointed this trustworthy gentleman to the office of senechal, a post of confidence and honour in those troubled and eventful times :

"My lord,—In addition to the many, and very great favours, which you have been pleased to confer on me, you have now added to those distinctions, by nominating me to the office of senechal, for which, as well as for former kindnesses, all that I can do in return is most respectfully to thank your lordship, and to entreat you to continue to me your esteemed patronage, and to this poor island, your benevolence, and good will. After God, we are indebted to you for our preservation, which depends for the future on your excellency, as an instrument of Providence, for its subsistence; to whose divine protection, I, as in duty bound, recommend your lordship by my prayers, and in all humility remain, your very humble and obedient servant, PETER CAREY."

Mr. Carey did not limit his gratitude to Lord Warwick for receiving the appointment of senechal, but also returned his thanks to the two secretaries of his lordship, as it appears by the following letters. We have no means of ascertaining what present he made them, though it is evident he gave them some token of his esteem.

"Sir,—I have seen by the letter which you have addressed to the bailiff, that you are pleased to continue to me your accustomed favours, which proceeds entirely from your kind disposition, and cannot be attributed to any personal merit of mine. As you have done me the honour to exert yourself in procuring for me an unexpected appointment, I beg you to accept my affectionate gratitude, and also to present my best respects to his excellency the earl. I wish, with all my heart, that I could sufficiently testify to you the sense of my obligations, and the desire that I feel to express myself with becoming propriety. I beg you to accept a small token of my gratitude, which Mr. Marrett will present to you in my name. Your very humble and obedient servant, (Signed) PETER CAREY. Addressed to Mr. Jessop, secretary to the Earl of Warwick."

"Honored Sir,—Besides the several courtesies and favours, which I have received from you at several times, you have been pleased to reiterate the same, in the procuration of an unexpected place, which my lord has been pleased to honour me with, and for which I humbly thank you. If it were in my power to serve you, it would be a great honour and happiness to me. I have desired Mr. Marrett to present you, in my name, a small token of my engagement to you, which you will be pleased to accept, as an humble acknowledgment of your services to your servant, PETER CAREY. Addressed to Mr. Coitmore, secretary to the Earl of Warwick."

(To be continued.)

MEMOIR OF CAPTAIN THOMAS PICKSTOCK, OF JERSEY.

ALL nations have felt a peculiar satisfaction in possessing authentic records of the lives and actions of their countrymen. The orator delights to make them the subject of his harangues ; the historian dwells with pride and pleasure on their achievements ; and the verse of the poet crowns them with an immortal and unfading wreath. The sister arts also pay their tribute of homage to the memory of departed greatness, and the chisel of the sculptor, and the pencil of the artist, revive, on marble and on canvass, the lineaments of the hero and the patriot. But the department of biography, in our humble opinion, has hitherto been narrowed within too limited a sphere, confining itself to the chief actors in the drama, who frequently have merely *nominal* claims to national respect, and overlooking the less emblazoned, but more arduous exertions, of individual enterprise. The general of an army, and the admiral of a fleet, too often monopolize those honours which ought to be divided with the subalterns and the privates.

We have been led into this train of thought, by reflecting on the numerous gallant actions performed by the privateersmen of Guernsey and Jersey, during the late war. If their sufferings and triumphs were allowed to pass away without any memorial or record, such neglect would brand us with national ingratitude, and nullify all our pretensions to patriotism. Had the writer of this article been brought up in Guernsey from his infancy, and thus possessed the facilities for obtaining copious and accurate information on this subject, he would not now solicit from the public the materials for composing a *naval biography of the sailors of the Channel Islands*. But not having had that advantage, and being personally acquainted with very few families, his means of narrating facts are inadequate to his wishes, and he therefore invites that assistance from those who love their country, which is essential to the performance of the proposed undertaking. As a commencement, to what we hope may prove a series, we shall now briefly sketch the career of Captain Thomas Pickstock.

This gentleman was a native of Jersey. His ancestors were highly respectable, as he descended from an old family in England, the possessors of "Pickstock's Township," situate in the parish of Edmond, in the Drayton division of the Hundred of Bradford, three miles N.W. of Neport, in Shropshire.

In early life, he displayed a warm predilection for the sea, and, when very young, he had charge of an hired cutter in the king's service, at Portsmouth. But his free and active mind languished under the systematic rule and punctilious discipline to which he was subjected, and he determined to quit a command, which shackled his spirit, and curbed his love of adventure. He, accordingly, returned to Jersey, and was soon appointed to the *Herald*, a letter of marque, brig, trading from that island to Labrador and the Mediterranean. On the 25th of February, 1798, when entering the Bay of Naples, the *Herald* was suddenly assailed by three privateers, with whom a desperate conflict ensued. In the evening of the same day, Captain Pickstock was further attacked by a felucca, armed, and full of desperate fellows, who at-

tempted to carry the *Herald* by boarding, but most of them lost their hands from the sabres of the Jerseymen. Ultimately, the felucca was sunk. On landing at Naples, Captain Pickstock was loudly greeted by the people, who had witnessed the unequal action from their shore.

His royal highness Augustus Frederick, duke of Susséx, then on a visit to his Sicilian Majesty, and who has ever been alive to glorious achievements, dispatched his chief secretary to congratulate Captain Pickstock on board of his own ship, at the same time requesting to see him at his hotel, a mark of attention most flattering. He was graciously received by the young prince, and presented with the sword he was then accustomed to wear, bearing the initials A.F.; and during his stay at Naples, the subject of this memoir was invited on several occasions to the table of the royal prince. When the *Herald* entered the port of Naples, the French flag having been nailed to the mast under the British, the minister of that then republic took it up very warmly, and made strong remonstrances against the insult offered to his country, which caused serious recriminations in the political circles of that day.

Captain Pickstock died, a victim to the yellow fever, at Surinam, in April, 1800, in his thirty-fifth year, at which period he commanded the ship *Minerva*, or *La Mouche*, of Guernsey. We have heard various anecdotes of his capturing Spanish vessels,—of his imprisonment at Lisbon,—of his miraculous escape,—and of his rapid arrival in Jersey, after having lost his ship, before the news had reached Lloyd's, but being unprovided with dates, and details, we are reluctantly compelled to suppress these particulars; but we hope to have these deficiencies supplied by some of his surviving friends in Jersey.

Captain Pickstock left an only son, who, during many years, was a magistrate and judge of the supreme courts in the British colony of Honduras, and he now resides in the city of London. On the 31st of October, 1835, his royal highness the Duke of Sussex signified his pleasure in a letter addressed to that gentleman, dated from Southwick Park, that he might place the following inscription on the magnificent and highly complimentary gift that he had conferred upon his father:

"This sword was presented to Thomas Pickstock, esq., commander of the *Herald*, of Jersey, by his royal highness the Duke of Sussex, for his gallant conduct on the 25th February, 1798, against a very superior French force, in the Bay of Naples."

We find by the records of the Chamber of Commerce, in Jersey, that on the 13th March, 1799, a piece of plate was voted to Captain Pickstock, for his spirited exertions in rescuing the brig *Princess Royal*, from the hands of the enemy, at the time of their attack on the British possessions in Newfoundland; and also for his antecedent bravery in the Bay of Naples.

The following extract from "*James' Naval History of Great Britain*," edited by Captain Chamier, R.N., will interest our readers:

"As the British privateer schooner *Herald*, of Jersey, Captain Thomas Pickstock, was cruising off the Neapolitan coast, three French privateers commenced a furious attack upon her. Captain Pickstock, by an animated address, so inspirited the *Herald's* crew, that, after an action of *three hours* duration, the *Herald* beat off all *three* of her opponents, leaving them with shattered hulls, and a loss between them, as reported to have been afterwards ascertained, of thirty in killed and wounded; while the British vessel had the good fortune not to lose a man.

"The *Herald* was only of eighty tons, and mounted ten guns, three, four, and six-pounders, with a complement of twenty-eight men; whereas, the largest of the

French privateers mounted, it is said, five long eighteen-pounders, (one on a traversing carriage,) and the other two, four eight-pounders each; consequently, the united crews of the three must have amounted to at least one hundred and eighty men. It is related also that, on the night of the action, a felucca, with twenty-two men, suddenly appeared alongside the *Herald*, with the view of carrying her by boarding, but that a well directed broadside from the *Herald*, sent the felucca, and all that were on board, to the bottom.

"On his arrival at Naples shortly afterwards, Captain Pickstock received from all ranks, for his spirited behaviour, the highest marks of attention and respect; the Duke of Sussex, who was then at Naples, is said to have twice honored Capt. Pickstock with an invitation to breakfast, and to have presented him with an hanger of considerable value, marked with the initials of his royal highness's name; and one of the prince's suite, a Mr. Veers, gave a pair of pistols to the gallant *privateer*. The latter was also received with great attention by Sir William Hamilton, the British envoy. The brave crew of the *Herald* did not pass unnoticed; as the British merchants at Naples raised by subscription, and distributed between them, the sum of two hundred dollars."

COMMERCE OF JERSEY.

THROUGHOUT Europe, the spirit of commerce and freedom has grown up slowly and in the midst of opposition; and it has arisen, in the first instance, since the fall of the Roman empire, more, perhaps, from the wants and difficulties of the sovereigns and feudal lords, than from an enlightened spirit pervading the upper and the lower classes; for a middle class there was none. The feudal system, however beautiful and consistent it may be, viewed as an object, was, from its nature, totally at variance with the enjoyment of true freedom, knowledge, and commerce. It was a system naturally resulting from the situation in which its founders were placed, confirmed and strengthened by favourable circumstances, and the spirit of the times. It was altogether military, and placed the nation nearly in the condition of a great army, with the relative duties of command and obedience. The vassal was bound to serve his lord, the lord a superior baron, and all the barons with their men, the king. It is not my object to investigate the principles upon which the feudal system was founded, established, and continued; but merely to allude to its influence in checking the growth of true independence, both in person and property, and in preventing that application to industry, in its various branches, which will naturally take place, when the desires and interest of individuals and a community are allowed to expand, and to take that direction into which they are naturally impelled, and which is, consequently, in accordance with the public welfare. Compelled to be a vassal to a superior, or a slave, bound to the land which he could not leave without the permission of his lord; hindered, from the state of things, from co-operating with others for a common benefit; there could be no commerce, and there must occasionally have been much poverty and misery. There is a capitulary of Charlemagne compelling the seigneurs so to provide that their tenants should not die of hunger. The feudal system was a kind of *caste* system: the son followed the occupation of his father, which admitted of little variety; for the cultivation of the land, and personal service to the seigneur, were almost the only occupations of the bulk of the people. There was, therefore, but little wealth, and that arose from territorial possessions, and the produce of the land. There was little money, for where there were but few exchanges, there was no need of a circulating medium, and all rents were paid in kind. "*Ni le commerce,*" says Guizot, "*ni l'industrie, ni les professions libérales, ne créaient alors, à côté des propriétaires, des classes nombreuses et importantes, indépendamment de toute richesse territoriale.*"

In Jersey—in the Channel Islands—the same system obtained, and has not yet been abolished by law. Commerce was strangled by the peculiar privi-

leges of the seigneurs, and by the dependence of the people. Besides receiving military service, the table of the seigneurs was bountifully supplied, their fields cultivated, their wheat cut down and stored, and their stables cleaned, by their tenants, who had besides other menial services to perform. The seigneurs, in Jersey, holding *in capite* fiefs, called *de haubert* had *la haute justice* on their fiefs—a right of hanging their vassals. They, alone were privileged to keep pigeons, to have mills for grinding corn, and some employed particular weights and measures. The constitution, given by John to the Channel Islands, although much esteemed, could not be a sufficient safeguard to the freedom of the subject; for, in that body of twelve men, composed principally of the seigneurs themselves, was vested the whole legislative and judicial power, from which, however, an appeal lay to his Majesty. Oppressions might still exist, injustice still reign; and, under such a system, how was it possible for commerce to prevail, or even to raise her head. The spirit of the two—of feudalism and commerce—cannot dwell together; for the latter, in order to flourish, requires liberty, security of property, and just and equal laws, administered with impartiality: but as the latter increased in strength, the former declined in power.

It is, comparatively, of late years, that the commerce of Jersey has assumed any magnitude. As a proof of the little intercourse which the natives of the island had among each other formerly, it may be remarked, that particular names of persons were only found in particular parishes; and that the names of persons are peculiar to each parish. For instance, the names of the people of St. Ouen's parish, are very different to those from St. Martin's; there are no marks of similarity between them. Even their language differs. Perhaps the old Cheshire adage prevailed in each parish here: "It is better to marry over the mixen than over the moor;" that is, your neighbour's daughter rather than a stranger.

The progress made in the arts and civilization in the neighbouring countries, have strongly rebounded to our own. The primary cause of the improvements which have taken place in the Channel Islands, may be referred to those of other countries. It is to be supposed, that as the feudal spirit declined in England, some consequences of that decline should be felt here; that, as the commoners acquired rights and power, leading to a more tranquil and secure state both of person and property, the seigneurs in the island would not have continued to exact all their prerogatives,—which they would not venture to exact now. We, accordingly, find that our institutions become more liberal as we advance; but we may also perceive, that the change in them has not, to the present day, entirely kept pace with our ideas and the change in the times; which may, as in other countries, be principally attributed to prejudice. Peter Heylin, who visited this island in the year 1656, notices the poverty of the inhabitants; which, among other causes, he ascribes to their "dialike of traffic, whereby," he continues, "they might have advantage to improve themselves and employ their poor." Agriculture then constituted almost the only employment of the people of Jersey. Corn, Heylin states, was exported to St. Malo and sold to the Spanish merchants; but he is silent concerning the stocking manufacture; which, if not then existing, soon afterwards grew into some degree of importance; for, in the time of Falle, who published the second edition of his History of Jersey, in 1734, that branch of industry was considerable, and it was computed that ten thousand pair were weekly sold at St. Helier's, by the knitters to the merchants, who sent some to Paris, Rouen, and Lyons. The Newfoundland trade, not noticed by Heylin, then formed its rather extensive foreign trade; for, in the year 1731, Falle states that there went out seventeen ships with one thousand five hundred men, and in 1732, the number was increased to twenty-seven vessels. The tonnage is not mentioned. The only product of the island, Falle writes, of which there was an overplus to spare, was cider, the quantity of which, made in favourable years, was estimated to amount to four and twenty thousand hogsheads. Very little was exported, which, he adds, led to excess and debauchery. While the commerce of the island

was then increasing, it would appear that it was accompanied by a decay of tillage, which Falle partly attributes, erroneously I believe, to the increase of trade.

But while commerce was gradually and slowly progressing, the principles which should direct it were unknown and misrepresented, although the prevalent ideas could not be pregnant with the same extensive mischief as in England and France, where high duties and prohibitions have often been resorted to, in order to "protect" home industry. It has been the misfortune of countries, that their rulers have often meddled too much with regulating, and, according to their views, favouring commerce; not being aware or convinced, that it requires to be free and unshackled, in order to be most beneficial. In the Channel Islands, commerce has not thus been restricted, or at least to the same degree, although there have been regulations equally absurd. As a specimen of the political economy in Jersey, in the beginning of the seventeenth century, we may remark that there were *ordonnances* of the 26th January, 1604, and 16th April, 1615, whereby some kinds of commodities or provisions, brought over by strangers to the island, were not to be sold by wholesale, until they had been offered by retail, on board of the vessel, at a reasonable price, for the space of four days, or but three when a Saturday, being a market day, intervened; such were, for example, corn and salt, coals and timber. The Royal Court usually fixed the wages of labourers, the prices of salt, of candles, of eggs, of shoes, of meat and drinks—thus endeavouring to aid or counteract the natural course of things, and to procure those advantages which freedom and competition cannot fail to ensure. In 1607, the vicomte or sheriff was directed to see that the commodities imported into the island were useful to the public, a task which he would now be mightily puzzled to accomplish, unless he stated that all which is imported is useful, since it is required. The community would not now have so much confidence in the knowledge and judgment of a public functionary, as to allow him to prevent the entry of those articles, of which he could not appreciate the utility, or could not understand the use or application, from an imperfect knowledge of their qualities. Even so late as 1771, we find a law that "*les taverniers ne pourront exposer de vin en vente avant qu'il ait été goûté par Monsieur le Bailli ou son lieutenant, à peine de dix livres,*" which part of his duties, I may add, the bailli or chief magistrate never performs.

The population of a country is in proportion to the diffused means of subsistence—to the wealth and industry which prevail in it. Of the former population of this island, we can only form an approximate estimation, which will, however, be sufficient for our present purpose. There is a statement in the map preceding Falle's History, in the year 1734, by which it appears that there were then, in the parish of St. Helier's, three hundred and fifty-four houses, and, in the eleven country parishes, two thousand five hundred and ninety-four houses. It is not mentioned whether they were all inhabited; but we may take it for granted that they were, as few houses, if any, could then be built for letting. In the census of the population made in 1831, the number of inhabited houses in St. Helier's, was one thousand nine hundred and seventeen, with sixteen thousand and twenty-seven inhabitants, or about 8.5 persons to each house. In the country parishes, at the same period, there were three thousand and seventy-three inhabited houses, with twenty thousand five hundred and fifty-five inhabitants, making an average of nearly 6.7 to each house. In order to arrive at some tolerably correct knowledge of the population of the island, in 1734, we may multiply the then number of houses by the average number of inhabitants now occupying each. Thus, in St. Helier's, in 1734, there were three hundred and fifty-four houses, which, multiplied by eight-fifths, give a population to the town parish, of three thousand and nine, which I should think is pretty near the mark. There were again two thousand five hundred and ninety-four houses in the country parishes, which, at an average of 6.7 persons to each house, would make the population of the country seventeen thousand three hundred and seventy-nine; which, added to that of St. Helier's, makes the population of the island, in 1734, about the same as Falle, who estimated

it at twenty thousand. In 1831, there were one thousand five hundred and sixty-three more inhabited houses, in St. Helier's, than in 1734; in the country, four hundred and seventy-nine; and, in 1831, the parish of St. Helier's had seventy-nine uninhabited houses, and the country parishes, thirty-six, which are not included in the above calculation.

The preceding statement leads to a few observations of some interest. The population of the island has nearly doubled during the past century; in 1831, it was thirty-six thousand five hundred and eighty-two; in 1734, it was twenty thousand three hundred and eighty-eight. The population is very large, nay, amazing, compared to the smallness of the island. Jersey contains about forty square miles, the average number of persons to each is nine hundred and fourteen. I should suppose that Heylin, who visited the island in 1656, did not base his estimate of its population upon any sure data, but gave it merely as a conjectural idea, when he said that it amounted to nearly thirty thousand living souls, "a matter," he continues, "which gave us no small cause of admiration; and, when my lord of Danby seemed to wonder how such a span of earth could contain such multitudes of people, I remember that Sir John Peyton, the lieutenant-governor, made him this answer, viz. that the people married within themselves, like conies in a barrow; and, further, that for more than thirty years, they never had been molested either with sword, pestilence, or famine." The great population of the island at the present time, might induce some persons, unacquainted with it, to believe that there must needs be much poverty. But there is a broad distinction to be made between a redundant and a large population. When there is a redundant population, there is much attendant misery; but the population may be large and prosperous, as the sister islands of Jersey and Guernsey testify. The general causes to which this may be referred, are principally their extensive commerce, and, let me add, the character of the people, which, on the whole, is highly moral. They are also distinguished by a love of economy, a proper and laudable self-respect, and an attention to the moral consequences of actions. To come on the parish is deemed an indelible disgrace, which not only attaches itself to the individual, but is transmitted to his posterity. This feeling is conducive to an elevation of character—so much to be desired and encouraged,—an application to industry, and a cultivation of the social virtues. Improvident marriages are of rare occurrence. These become more numerous, when the feeling of self-respect and moral independence is destroyed. The evidence collected by the poor law commissioners abundantly shews that early and improvident marriages are the offspring of vice, and the parents of misery. They may be increased by factitious inducements, as they were by the ordinary administration of the late poor laws in England; but they are less frequent when families have the conviction that they must depend on their own exertions for support, or else be branded with that disgrace, inflicted by public opinion, which cannot easily be wiped away. The moral check to population predominates in the Channel Islands; and the misery is, consequently, less than even in wealthy England. These observations are of a general nature, the force of which a few exceptions, perhaps, are not sufficient to overthrow.

I am not aware of the amount paid by each parish in Jersey, for poor rates; that by St. Helier's annually amounts to about £1500. The total amount levied in each parish for all parochial expenses, including those for their poor, may give us some idea, though only an imperfect one, on the subject; but we may perceive that the amount cannot be very considerable. During the ten years, ending in 1834, the whole amount levied was :

Trinité.....	£222	15	2	St. Brelade's.....	247	15	2
St. Saviour's.....	249	12	7	St. Clement's.....	117	11	3
St. Laurens.....	223	11	2	St. Mary's.....	104	0	8
St. Peter's.....	249	18	0	St. Owen's.....	289	18	0
St. John's.....	138	6	3				
St. Martin's.....	259	17	6				
Grouville.....	191	19	6				
					£2285	5	3

The town and parish of St. Helier's bears the largest proportion, both from its greater population, and from the number of strangers whose families become chargeable.

Besides the great population of the island, considered in relation to its extent, we shall also be struck with the vast increase of that in the town and parish of St. Helier's, during the past century, and the comparative little augmentation in that of the country. The increase of trade is the cause of the former; the division of property, that of the latter. The population of St. Helier's, in 1831, was more than five times greater than in 1734; and that of the country parishes, only $\frac{1}{4}$ more in the former than the latter period. It is principally since the conclusion of the last war, that the town of St. Helier's has so increased in the number of its houses and its population. It is in the recollection of some persons, when the roofs of the greater number of houses in the town were covered with thatch, the streets unpaved, uncovered brooks running through them, and carriages little known. In the code of laws for the island, sanctioned by an Order in Council, dated 28th March, 1771, it was enacted, that from that time to 1781, every house in the towns of St. Helier and St. Aubin, should be covered either with slates or tiles—a plain proof that, at that period, it was customary to thatch the houses in those towns; for, the preamble to the law states, that it was in order to prevent conflagrations.

When peace was proclaimed, it was very generally thought that the ruin of the island would ensue. That opinion has somewhat of a plausible, though unreal, foundation. During the last war, the island derived its principal resources from the expenses of a large garrison, the extent of public works, and privateering. Provisions were supplied both from this island and from England, at an advanced price; the farmers reared oxen, and cultivated much wheat, the demand for which, and for other products of agriculture, for home consumption, caused prices to be elevated, rents to rise, and the value of land to increase. When this source was stopped, the garrison withdrawn, and trade with France re-established, provisions were imported from the latter country at prices much below those which had been usually paid. From this change, much temporary mischief was produced, rents declined, and the value of land, some branches of industry were stopped, and some bankruptcies followed. We may, from this circumstance, be confirmed in the opinion and belief, that latent evils and subsequent misery prevail when the column of industry rests upon a temporary base, when a change in the direction of industry takes place, even though it be a return to a more sound and natural state of things. Since then, industry has been established upon more secure foundations; the wealth and commerce of the island have considerably augmented, the value of land is equal to that in time of war; all classes have been benefitted, however gloomy may have been the prospects of some, especially of the farmers, in 1814; instead of rearing oxen for food, they rear heifers for England; instead of their sales being almost entirely limited to the home market, they export the surplus of their potatoes, their apples, and their cider. The exports have been as follows, during the years:

Cows ...	1829.....1491 heads.	Potatoes	1829..... 8495 tons.
	1830.....1168 "		1830.....10316 "
	1831.....1928 "		1831.....10784 "
	1832.....1700 "		1832..... 7293 "
	1835.....1135 "		1835..... 6989 "
Apples..	1829..... 53,460 bushels.	Cider....	1829..... 114,406 gallons
	1830.....147,239 "		1830..... 272,751 "
	1831..... 1,734 "		1831.....145,060 "
	1832.....224,611 "		1832..... 32,531 "
	1835..... "		1835..... 413,815 "

The foreign commerce of the island has received a great impulse since the war, which has augmented manual arts, and given more employment to

industry. But I shall not dwell upon this now, but reserve a few observations on the home and foreign trade of Jersey, for a future article. I should have remarked previously, that the number of English residents help to swell the bulk of the population.

It is a narrow prejudice to be jealous of the prosperity of other persons or of other countries: an enlarged knowledge teaches us that the wealth and industry of one nation increase proportionally those of the countries with which it has any commerce. This national prejudice—that it is the advantage of one nation that all others should be poor—the principles of political economy, founded on a true consideration of facts, and the nature of things, tend to remove: and those persons who reflect will often have to deplore the fatal effects to humanity, which false principles, firmly engrafted in the mind, have produced. It is of importance, that the mind should be furnished with correct first principles, which will enable their possessor to judge with more facility and with more truth. The prejudice of which we are speaking is the more culpable and injurious, when it exists between different parts of the same country, and leads to regulations tending to injure the one to the apparent advantage of the other. It is as in the fable, when the members of a body would not exert themselves to feed it, and consumed away with it. There are those who, hurried away by a blind self-interest, do not or cannot form a comprehensive idea of consequences. The interest of all individuals is immediately or remotely connected with the public welfare, and the latter can certainly not be promoted by the favouring of a select few, or body of men, to the injury of the greater number, or even of the same number. Formerly, there was a strong feeling of jealousy in Jersey, between the country and the town. The prosperity of the one was scarcely believed to be consistent with, or influenced by, that of the other. The country fifteen members in the States would then scarcely vote for an expenditure for the harbour of St. Helier's, or for any improvement in the town, unless a sum was also applied for some work in the country, whether useful or not. The island has, consequently, undergone much expense for undertakings, which are of little if of any utility. We have, therefore, a harbour at St. Aubin, which is usually empty; one at Rozel, for fishing boats, and one at Boulay Bay, for no boat at all, for these are safer at a distance. The prejudice is much stronger in the breasts of the inhabitants of the country than in those of the town, and the remains of it are almost solely confined to the former. It had remained dormant for some time, and it was hoped that, touched by the finger of knowledge, it had vanished in *tempestu*, into thin air; but it manifested itself a few months ago in a most egregious manner, and was received by the party against whom it was aimed, —the town-folk and the consumer,—by so steady an opposition, that the measure appears tacitly dropped, for it has not again been brought forward. I allude to a petition to the States, by one thousand six hundred persons of the country, praying for a prohibition of the importation of horses, pigs, pork, fruit and vegetables, from France, on the ground that the agricultural interests were suffering very considerably, that the grower of potatoes could not obtain a remunerating price, that labour was very expensive, that pigs from France are very inferior to ours, that French horses are generally very defective, and, consequently, sold at such low prices, that Jersey farmers are prevented from attending to the breed of horses, and that fruit brought from France is generally in a bad state, and cannot but be detrimental to the public health.

I shall not enter into a review of the arguments which may be adduced against this petition, which is totally based upon an error, as my present object is to show the mutual advantages which town and country derive from each other; but I would simply remark, that potatoes were, at the time when the petition was presented to the States, in greater demand and at a higher price than they had been for a long time previously; that the scarcity of labourers is a proof of prosperity; that of French horses, the country people are the principal purchasers, and that if French pigs and horses are

defective and inferior to ours, they cannot come in competition with those of Jersey. There was another measure proposed, arising doubtless from the same motives, to increase the proportion paid by St. Helier's of the public expenses.

The prosperity of the country, in all nations, is principally owing to that of towns. "The greater the number and revenue of the inhabitants of the town," says, very justly, Adam Smith, "the more extensive is the market which it affords to those of the country; and the more extensive that market, it is always the more advantageous to a great number. The town is a continual fair or market, to which the inhabitants of the country resort in order to exchange their rude, for manufactured produce." At a time, when the town of St. Helier's consisted of only a few houses, and its trade was inconsiderable, the people, according to Heylin, were poor; the country people had not an extensive market for their surplus produce; and they could not purchase those materials and commodities which they required, at a reasonable rate. Most of their present means of enjoyment, most of their present sources of comfort and happiness, were therefore not possessed by them. Every thing was really dear, for it cost much more labour and exertion to procure than now. Towns, in large countries, have principally promoted the welfare of the country, by the possession and employment of capital, by manufactures of various kinds, for whose products, which the farmers otherwise could not have procured, except at a much greater expense, if they even could have procured them, were exchanged for the surplus produce of their land. They could consequently enjoy much of the products of industry of which they were before deprived; and their increasing wants stimulated their industry, increased cultivation, and improved the country. The value of the land became greater, and its productions much larger. From the commerce thus begun and continued, the wealth of the community increased; the farmer, deriving larger profits, had a larger capital to employ in the cultivation and improvement of his land, and the merchant to increase industry. The result is that people are better lodged, clad, and fed; and wealth not only increases, but becomes more extensively diffused. The town and the country are both dependent on each other, and the prosperity of both is blended together. The richer the one is, the richer also must be the other; and, with their riches, their productions increase. The produce of the country will always sell more readily and profitably in a neighbouring large town, and the products of the town will find an advantageous market in a neighbouring populous and flourishing country. Some of the capital of the town can also be employed on the country; for "merchants," says Smith, "are commonly ambitious of becoming country gentlemen; and when they do so, they are generally the best of all improvers, an improvement in the social condition thus resulting, more liberal ideas prevail, especially in the towns. These have been mainly influential in the removing of hurtful prejudices, the establishing of liberal institutions, and the overturning of the feudal system. They have fostered the arts and sciences; and the learning there acquired, has spread its genial influence over the country and over mankind.

The proprietors of the country in Jersey have been vastly benefitted by the wealth and intelligence acquired in towns, not only by their affording them a more extensive market, and supplying them with the products of manufacture, but by combating and overthrowing some of those narrow prejudices and errors, principally injurious to the farmers themselves. I allude now, particularly, to the violent and obstinate opposition by the land proprietors to the formation of roads through the country, which have vigorously tended to increase industry, and the value of land, and have considerably lessened the expense of bringing agricultural produce to town and of carrying back manure, vrac, and commodities. Now they can perform the same distance in much less time, and with much more comfort,—they need only employ one or two horses, where formerly three or four were absolutely necessary,—they need not send a harbinger to see if the road be clear, and if

any carts be coming from the opposite direction, for two could not pass each other,—they need not employ oxen, as more sure footed in descending steep hilly roads, for the declivity is not now so great. Yet, how many prejudices had not lieutenant-general Don, the beneficent lieutenant-governor of Jersey, to overcome, and how much difficulty to persuade the country people that good roads were for their advantage. Some would not part with the least portion of their land, because the value of it was daily rising, and they did not wish to lose any part of that increase; others would not give up a hedge, while that of their neighbour remained entire, nor a tree, while those of another proprietor were not brought down. None wished to be made a sufferer, or to sacrifice any portion of his property, more than his neighbour, who would have an equal use and derive an equal benefit from the new road. But General Don persevered, and often declared: "I will do them good in spite of themselves, and they will hereafter experience and acknowledge it." The attachment to Jersey, by this worthy governor, continued after he was removed to the command of Gibraltar; and it may be mentioned, that he would have none but Jersey potatoes bought, for that purpose, in the island over which he had before ruled, served upon his table. The people of Jersey are now fully alive to the advantages accruing from good roads.

Whatever facilitates communication, augments the national wealth; for the difference or saving in the time and expense thereby effected, may be regarded as so much profit to the community. "*La facilité des communications,*" says Say, "*équivalent à la richesse naturelle et gratuite qui se trouve en sa produit, lorsque, sans la facilité des communications, cette richesse naturelle serait perdue.*"

The knowledge which is acquired, whether in town or country, extends its warm invigorating rays over both. The knowledge of chemistry has not only nourished the arts, but agriculture, by the analysis of soils, and by determining the manure or substances best suited to different soils. Science has improved the arts, and the arts have enriched society. Agricultural societies, supported by members from town and country, by bringing together useful knowledge collected from various sources, and experience from different quarters of the world, increase the wealth of the country. A spirit of emulation is also roused, and improvements follow. In confirmation of this, I shall add an extract from the last report of the Jersey Agricultural Society, with which I shall conclude this article: "Your committee cannot refrain from expressing their unfeigned satisfaction at the rapid improvement which has taken place in cultivation by cottagers generally, whose various products, especially in vegetables, rivalled in the last exhibitions those of the best cultivated gardens. They also observe that the influence of your society is silently but securely extending, by the marked improvement in husbandry throughout the island, which is now spoken of as a science; the ancient ideas that agriculture had reached its perfection and could not be improved, being nearly exploded."

L. Q.

(To be continued.)

THE HERMIT'S PAPERS.—No. 1.

SHOULD the little contributions of a native, whose historical and legendary reminiscences occasionally jingle into metre, of their own accord, fall within the plan of one of Sarnia's truest and most highly gifted friends, a word of assent, dropping from such lips, will prove a word of command.*

These are, indeed, memory's cast-away trifles; and should they be treated with that violent contempt, which they probably deserve, no murmurs will reach the ear of a judicious editor, from one who has not yet found time to examine a single leaf of the Magazine of his father-land. "*Le bon fruit est pour la bonne bouche.*" And still, the tree which produces it, has long had a native's best wishes.

* I, decus, I nostrum; melioribus utere satis.—Ed.

Having tried the effect of, here and there, a snatch of our lyrical ghost stories, and chronicular ballads, on certain juvenile customers (for whom one cannot help sometimes manufacturing a few lame latin sapphics and indifferent alcaic) the temptation to commit them to paper, for a more serious experiment *at home*, must be taken in good part.

Our business, as editors or contributors, is to *collect* relics, not to work them down (after the manner of certain Jew dealers in shells) till nothing but mother-of-pearl remain. "Popular historians," whom the wily Charles the Fifth was wont to call his "liars," always were the objects of your correspondent's unqualified hatred. His catholic ghosts are catholics; his puritan ringle-tubs are puritans; and his witches are witches, genuine storm-brewing Craccas, who love mischief and perpetrate it with all their heart, mind, soul and strength. What our grandmothers have told us, what we have heard with our infant ears, ought not, assuredly, to be improved, as modern praters improve ancient texts. Like the Raphael of Cockney-land and Cockney kings, were your correspondent a poet, he might avail himself of Lawrence's court patent for embellishing poor human nature's eccentricities and deformities.

As circumstances have thrown in the writer's path a bundle of old-fashioned keys, which unlock the prison house of innumerable obsolete customs and terms, a select sheet, from the "Word-Book" among his *adversaria*, will forthwith be communicated. In the breviary and 'Bible-historiée' of the king of German France, the "Frankono Koning," a solution has been found for *all* the "linguaggium Gherneruiense's" remaining difficulties.

THE TRANSCRIBER TO THE READER.

"Quicunque istius monasterii possessiones abstulerint vel diripuerint, maledicti sint
 "ab omnibus visceribus! Sicut fuit cera à facie ignis, sic pereant! Culum clau-
 "dimus; terram negamus. Demergantur in inferno inferiori sine fine; Amen!
 "Fiat! fiat! fiat!"

Such were the awful words of a form of consecration, delivered, centuries ago, by an anointed high priest, over the new-built nunnery of the Sisters.

But the "appropriation clause," in favour of which Luther wrote a book, is the sad argument of what many will call a *black* chapter in all the chronicles of gospel-reform.*

It is said that a bailiff of Guernsey, in the reign of uxorious old Harry, and under the long dynasty of his five kinsmen, the Westons, fell likewise into the snare of the devil, and of his secretary, Thomas Cromwell. Yet, if to touch Rome's confiscated goods and chattels were so unpardonable a trespass, which of England's noble and gentle families avoided the pollution? Be this as it may, the year of queen Ann's death was one of tragical concurrences. Weston lost the captainship of Guernsey; the bailiff, his kinsman, made way for another representative of the Tudors; Lord D'Arcy, after selling his Jersey captaincy, had the honour of being hung and quartered; Vaux, who had bought D'Arcy's office, was compelled to give up his bargain to Sir Edward Seymour; and one of the Westons expiated on the fatal tree the crime of smiling on a queen, the soft lustre of whose twinkling eye captivated a king, and disarmed an executioner.—(See *La Houssaie*.)

It is indeed a moral phenomenon which invites reflection, in spite of all frail humanity, transitory predilections and interests, that such a legend as that of "The little Man with Bands," a legend as inveterately catholic as the council of Trent itself, should have triumphed over presbyterianism, and, in defiance of the Genevese cloak and band, have found more attentive and awe-stricken hearers, among the unfledged inmates of the nursery, than La Marche's catechism and Drelincourt's sonnets. We believed it, all of us, forty years ago; and, to quote Ariosto and "la Vieille Nanon," we really "*believed* that we believed the truth."

* For Sweden, see Verelius; for Holland, Strada; for Scotland, Buchanan; for England, Jones' Recollections of Royalty.

James, lord of the small manor of Edessa, or Rohais, could find no rest in the cemetery of the Sisters; no pillow was soft enough for the sleepless head of his grand-children and great grand-children, in the dormitory of the veiled proprietors of the "*petit homme à bandes*" town-residence in the street of "the Cornets." Till the offender's perambulations ceased altogether, towards the close of last century, a diminutive ghost was seen, night after night, on a tomb at the south-western angle of the churchyard, performing its unavailing penitential exercises.

THE LITTLE MAN WITH BANDS.

"Fire past endurance! Outer darkness! I stick fast in the mire,
a prey to worms, and cry: (*Office of the soul of agony.*)

- | | |
|---|--|
| <p>1 O'er yon lone grave tall hemlocks wave,
The screeching night-fowl stands;
What slender form glides in the storm?
A little man with bands.</p> <p>2 Swathed in a shroud, it sobs aloud,
Pointing at its fair lands,
Then tells a bond for Rome's true creed—
The little man with bands.</p> <p>3 Writhing with pain, why wring in vain
Those tiny shrivelled hands?
Is there no hope from king or pope,
Sad little man with bands.</p> <p>4 A price on thee bestowed in fee
One of his best white wands;
A brighter sword ne'er graced a lord—
Dread little man with bands.</p> <p>5 Five kinsmen were chief rulers here,
Resolute their command,
And none rose high like their ally—
The little man with bands.</p> <p>6 Yet, as I speak, thy livid cheek,
Paler than driven sands,
Discloses grief beyond relief—
Poor little man with bands.</p> <p>7 The moon's red ray now fades away;
What furies toss those brands?
Through the dark air their torches flare,—
Dear little man with bands!</p> <p>8 And, hark! a moan from each gray stone?
Dead sisters break their bands,
Hiss, weep, laugh, groan, and—we are alone,
Ah! little man with bands!</p> | <p>9 Nor seraph's tear, nor martyr's prayer,
(That slender ghost replied,)
Can soothe my care—for, who can bear
The pangs of wounded pride?</p> <p>10 And which frail dust, for wealth or lust,
Renounces heaven's true creed,*
Is heaven's high court of last resort,
What saint will intercede?</p> <p>11 More fairly none (His will be done!)
E'er ministered God's laws;
My country's right ne'er did I alight,
Nor mar the poor man's cause.</p> <p>12 Yet, Cromwell's power, in evil hour,
Our ministers bought and sold;
I shared a part—my head! my heart!
'Twas Achan's wedge of gold!</p> <p>13 I writhe with pain, I wring in vain
Those tiny shrivelled hands;
There is no hope from king or pope,
For little man with bands!</p> <p>14 Had I but feared, had I but spared,
Veiled nuns and their demesne,
In thick-ribbed ice, whence I now rise,
Would my soul feel such pain?</p> <p>15 For (heed it well) in hell there dwell
Huge worms, with countless heads,†
And ravenous maw, that crawl, bite, gnaw,
Where'er the sinner treads.</p> <p>16 The spectre ceased—a sable priest,
Thrice, with a burning chain,
Leashed his cold form—raised a death-storm,‡
And all was calm again.</p> |
|---|--|

* Under Edward VI., Mary, and Elizabeth, the children of one father, we see all the nobility and gentry of stout England, converted thrice in ten years, from Rome to Geneva, from Geneva to Rome, and from Rome to Geneva back again. The sum total of England's protestant gentlemen-martyrs, was eight.

† This "worm that never dies," is the *Sekha Naga*, 'eternity serpent,' of the Hindus, the *Mil-Pra*, or 'thousand-worm,' of the Britons; the *Krup na Narada*, or 'cluster of snakes,' of the Gael; the *Narak* or 'hell snake' of India, and the Rabbinical *Akrabo*, or 'scorpion with seven thousand stings'—each of which is charged with ninety varieties of death.

‡ Our Norman forefather's *AA*, the spirit or divinity within him, literally shook the skies with a peal of laughter—a triumphant *URR-AA*; as it flew away in a whirlwind, to quaff the cup of braga (grain), on the threshold of Walhalta. We read of Celtic *URR-A-GAN*, and Gothic *URR-AAS* innumerable, ere Harold's friend went away whistling to the very highest key of rough old Æolus's harp; but honest Thormodius Torfœus hath very solemnly recorded this etymological *Historiette du Nord*—"Cecilius Egegetius ORRI-US, qui procella, quam novissimè excitavit, nomen deinde dedit. *Ur* nam insignis est stremitate." Indeed, these terrible fellows never gave up the ghost—without raising the wind. They literally went to Erebus in a 'gale' or song; their *URR-AA*, or *URR-A-GAN*, being interpreted, is 'the spirit of the air,' 'the air song,' or simply, 'the air,' '*Parlette du trépassé.*'

FOR CHURCH AND COMMONWEALTH.

A SONG OF DEFIANCE.

SCENE.—A MEETING OF THE STATES IN THE TEMPLE OF ST. PETER'S ON THE SEA.—A.D. 1642.

The faithful zealots in the isle of Guernzey,
Doe still preserve themselves in liberty.

Heylin's letter to Laud. A.D. 1629.

Antithet nebulonem, Sarnia, temne tyrannum!
Flectere si nequeas, pellere cur dubitas!

The collector's design is to revive, by means of poetry, the feelings, emotions, hopes, and fears, of a former world. Should he succeed, in a single instance, his example may tempt others to try their dormant powers, and to supply, from the same source, a fund of innocent pleasures for patriotic imaginations.

"La poésie est un discours parfaitement sensible : par elle l'exposition devient animée, et les objets désignés sont comme immédiatement représentés à nos sens.

- 1 As here we sit, and ruminate
On feats of war, and strokes of state,
The foe, the fiend is at the gate—
Resist, or die!
- 2 Why linger, Sirs? 'tis worse than rash,
While red-hot bombs explode and splash—
Another flash! another crash!
Resist, or die!
- 3 Fathers, be wise! respect your lives!
The stout heart sighs, the grape-shot flies,*
The train-bands rise, the watchman cries,
Resist, or die!
- 4 That royal bear in Cornet's den,†
Mad with despair, now roars again,
Now gnaws his chain—come, play the men—
Resist, or die!
- 5 Old Normanville, stern Quetteville,
Dellale, Blondel, La Marche, and Guille,
Haste, with good will, your orbs to fill—
Resist, or die!
- 6 Dry your black dust—let no blade rust—
Pray, fast, read, watch; prepare, adjust,
The flask, the match, and hackabut—
Resist, or die!
- 7 Ye ministers, a faithful band;
Ye justices, with spotless hand;
Ye centeniers, with trusty brand—
Resist, or die!

- 8 Royalty! Loyalty! forsooth!
What Stuart ever cared for truth?
All—all deceivers from their youth—
Resist, or die!
- 9 The blood that stained Lorraine's fell spear,
The saints hell martyred at Sancerre,
Prynne's wounds—and Leighton's—cry 'Pre-
Resist, or die!' [pare,
- 10 Sirs! Who decoyed with traitorous hand
The three choice men of our free land—
Carey, Beauvoir, De Havilland?
Resist, or die!
- 11 Who madly smote, with iron rod,
The Levites of our Israel's God,
Nor heeded praise or prayer a fod!
Resist, or die!
- 12 Through Cecil's fraud, when Jersey fell,
Who smiled on Laud—arch-priest of hell!
Who dared applaud!—Ye know full well!
Resist, or die!
- 13 Shall Baal's priests here frown and scowl!
Shall Baal's wolves here howl and howl!
Shall Baal's curs here snarl and growl!
Resist, or die!

* Dorel et Metcalf, avec leur maître Sir Peter Osborne, devinrent rebelles au parlement. Ils furent déclarés traîtres et ennemis de l'état, ayant avec leur canon foudroyé la poure ville; contre laquelle ils tirèrent plusieurs milliers de coups de canon, avec balles et cross-bars, et ruinèrent plusieurs maisons.—*Mém. autographe de La Marche.*

† Osborne.

‡ Séchez vos poudres sur l'arène!
Jeûnez, priez! que chacun prenne
Peine, meche, arquebuse, et vienne
Vaincre ou mourir!

DE LA COURT'S FUND.

THE charitable fund, called, from the name of its original founder, the "*Bien des pauvres donataires de Monsieur Jean De La Court*," was founded by the said Monsr. Jean De La Court, then a Jurat of the Royal Court, in the year 1588. The original donation was:

- 1.—A small house at Hauteville.
- 2.—A piece of ground adjoining the same, called le "*Grand Hautgard*."
- 3.—A vergée and a half of ground, at the Hougue Mourin, and
- 4.—Fifteen quarters of annual wheat rent.

The house and grounds were sold in the years 1609 and 1681, for the sum of four quarters, three bushels, five deners, of wheat, and seven livres, ten sous tournois, annual rent.

This fund has, since that time, been increased by the donations and bequests of several benefactors, amongst whom are :

The Royal Court, sums due to that body, by H. M. Receivers..	£150
The late Osmond de Beauvoir, Esq.....	100
The Royal Court, from lotteries.....	125
The late Anthony Priaulx, Esq.....	100
The late Mrs. Catherine Le Marchant, widow of Osmond de } Beauvoir, Esq.....	100
The late Sir Peter de Havilland, Baillif, in two donations....	100
The late Mr. Lawrence Gallienne and wife	225
The late Carteret Priaulx, Esq., Jurat.....	100
The late Eleazar Le Marchant, Esq., Lieut.-Bailiff, 6q. 2b. 4d..	140
Anonymous, by Mr. T. Cohu..... 4 2 2½...	100
The late Peter Le Cocq, Esq., Jurat.....	100
The late Eleazar Le Marchant, Esq., Lieut.-Bailiff.....	300

Together.....£1640

Besides other smaller donations.

The annual rents, at present possessed by this fund, amount to 117*grs.* 2*bls.* 5*½dls.* —376*liv.* 17*so.* 10*drs.* tournois, two capons and one fowl, and produced last year the sum of £100 : 0 : 11. Guernsey currency.

The fund is administered by the Royal Court, who generally appoint one or two of the Jurats to investigate the cases brought before that body for relief. After which, a full Court decides upon the merits of the several cases, and awards such relief as each case may seem to deserve, and as far as the funds at its disposal will permit.

Losses by fire of any magnitude are seldom or ever relieved, on account of the facility and cheapness of insurance. The number of boats employed in fishing, and other occupations, belonging mostly to persons who maintain themselves and families by their industry, seems to require the chief attention of those who administer this fund, and by means of which, persons left destitute by the loss of their boats, are enabled to procure others. It is much to be regretted, that from the limited means of this fund, the relief afforded is often very disproportionate to the losses incurred.

The following is an extract from the original grant, under the seal of the bailiwick, dated 7th September, 1588 :

"Que la disposition de la dite maison et terres et des dits quinze quartiers de froment par an, sera faite par l'advis et bon conseil des justiciers de la dite isle de temps en temps à l'usage des pauvres et nécessiteux tant de la dite isle, qu'au relief de tels pauvres habitants, auquel adviendroyt que leurs maisons seroyent brûlées, pour leur aider à les faire réédifier. Et aussi estre employez au relief de tels pauvres prisonniers, ayant esté pillés à la mer, ou autres pauvres mariniers qui auroyent perdu par naufrage ou autrement leur navire ou vaisseaux, ou pour subvenir à l'entretien, et avancement de quelques pauvres enfans qui seroyent avancez aux bonnes lettres, ou à apprendre quelque art ou mestier, le tout selon le bon advis et discrétion des justiciers de la dite isle, de temps en temps, moyennant que soit le tout employé de temps en temps à l'usage, soulagement, et subvention des pauvres et nécessiteux, ainsi que dit est suivant l'intention du dit donneur."

The following is a summary of the cases relieved within the last five years:

		AMOUNT.
1832.—6	from losses by fire.	
1	of tackle and nets.	
2	of boats.	9 cases in all.. £39 10 0
1833.—3	by fire.	
5	of tackle and nets.	
11	of boats.	
10	of clothes from shipwreck...	29 cases in all.. 127 5 0
1834.—1	by fire.	
7	of boats.	
7	of clothes from shipwreck...	15 cases in all.. 46 4 0
1835.—9	of boats and tackle.	
6	of clothes from shipwreck.	
7	for saving persons from being drowned...	22 cases in all.. 68 0 0
1836.—1	from losses of clothes by fire.	
5	of ditto from shipwreck.	
28	of boats and tackle.	34 cases in all.. 110 15 6

December 17, 1836.

In five years.....109 cases. £391 14 6
JAMES DU PORT, Assistant Supervisor.

GUERNSEY COURT OF APPEAL.

MICHAELMAS TERM.

In giving the following report of cases, the main object has been to convey information upon such objects of local interest, as are most likely to prove useful to the majority of our readers. It cannot be expected that this report should enter into either the discussions to which the questions have given rise, or the grounds upon which judgments have been given, as these would take up much more space than we could reasonably afford. Moreover, we could have seldom inserted those discussions in the Magazine without repeating statements which, through the medium of the local papers, have already met the public eye. By the present method, which is simply to give publicity to such judgments of the Court which have decided some important principle, and from which much information may be conveyed in a comparatively small compass, long discussions and repetitions will be avoided. This will not prevent our noticing in detail, cases which may arise before the Court, when their decisions are capable of making a more than temporary impression, from the influence they may exercise over public affairs.

It will be seen that, in this number, we simply notice the questions which the Court of Appeal has decided. It may not be unnecessary to state that the Appeal Court sits three times each term, of which there are three in one year, at Easter, Michaelmas and Christmas, and they are held almost immediately after the Chief Pleas of these several periods. From this statement, it is not difficult to perceive that the Court of Appeal of Michaelmas is that which has generally to decide most cases, as it hears all matters decided in the Ordinary Court during near five months in the year, from the latter end of June to the latter end of November, which is one-third more than either of the others. As, in this case, the three days set apart to hear judgments would hardly suffice, it requiring an average of two days hearing to decide five appeal cases, the Court, though the regular Appeal Courts be closed, invariably extends them from week to week, generally from Tuesday to Tuesday, until the whole cases appealed from during the term are decided; and here again we must observe that, to expedite business, the Court are ever ready to assemble to hear causes, and though the Jurats perform their duties gratuitously towards the public, the very great majority, indeed we might say all of them, are ever ready to afford their time, however inconvenient, and frequently to the prejudice of their private concerns. Though the Appeal Courts have now been closed nearly one month,—the Court has nevertheless met every Tuesday for the dispatch of business. The Court of

Appeal has, this quarter, decided eight cases, has confirmed seven, and reversed one of those which the Ordinary Court had decided, for the modifications which have taken place in three others were not material, as in those cases the appellants were condemned to the costs of the appeal.—There are several others to decide, for which the Court has fixed days out of term, though the Courts are at present closed, as those cases were decided by the Ordinary Court before the time the Courts of Judgments were ended, and could not then be heard from press of business. These are considered to be entitled to a hearing, though the Appeal Courts be shut, and, for this purpose, the Court ever make it a point, on the demand of the parties, to assemble and decide them. The jurats in the Ordinary Court give their opinion in public, and, after collecting them, the Bailiff takes their votes, and the Greffier, or Recorder, notes down the sentence, or result of the opinions.—The individual opinions of the jurats are private in the Appeal Court,—the decision of the majority, which forms the sentence, is alone made public.

On the 18th October, 1836, on an appeal from the Ordinary Court of the 7th of March of the same year, the Court confirmed the principle then laid down, that the promise of an individual to pay the debts of another, *in general terms*, to his creditor did not constitute a liability on his part to discharge them, but that it required a *distinct* promise to pay on the part of the party thus engaging himself.—The same day the Court confirmed two other sentences involving the same principle, the only difference was, that the promise to pay had not even been made to the creditors personally.

On the 1st November, 1836, the Court unanimously confirmed the decision of the Ordinary Court, by which it had decided, that the father and mother of an individual were competent to give evidence as to the minority of their child, and to give evidence also respecting the certificate of baptism brought forward by a third party, to prove that the signature of the attesting officer to such certificate was really and identically that of the officer so testifying.

On the 15th November, 1836, the Court decided, that the holders of bills of exchange, drawn by an individual in his private name, could not come upon a person who was no party to such a bill, notwithstanding that they alleged that a partnership existed between the drawer and that third party. The existence of a general partnership between them was denied, but it was admitted that they had been concerned together in a certain undertaking which had no reference to their general concerns, which were both as distinct as they could well be. The Ordinary Court declared that the signature of one of the parties being to the bill, he alone was liable. The Appeal Court modified this sentence, inasmuch as they reserved the pretension of the holders of the bills, to prove a general partnership, between the party who was not connected with the bill, and who, in consequence, maintained that he was not bound to pay any portion of it.

The Court decided, that the heir of a party, who had given an acknowledgment to another, for whom the grantor had acted as attorney, was bound to pay the amount to the holder, notwithstanding his offering to give evidence that the acknowledgment was given merely to accommodate the holder. The Court also refused the heir's demand to prove it, and that the holder had entered into a compromise with a third person, a party to the transaction, which compromise, it was maintained, was a complete discharge for the defendant, of whom payment was now demanded. The Ordinary Court's sentence which, under the peculiarly favourable circumstances of this case, had admitted the party who had given the acknowledgment to produce evidence of the facts above mentioned, viz. that this was merely a transaction entered into by an attorney with a view to accommodate the suitor, and that a compromise had been entered into with the holder of the acknowledgment, was reversed, and the heir bound to pay the amount of his father's acknowledgment with costs.

The Court of Appeal also virtually confirmed the sentence of the Ordinary Court, which had decided, that a claim in a marriage contract, which had

stated, that, in case of a separation between the husband and wife, the latter should be allowed five pounds a year for her maintenance, was void; the modification made by the Court of Appeal not having in substance altered the decree of the Ordinary Court; so far from that, the modifications might serve as additional evidence of the soundness of the judgment of the Court below.

The Court having, on the demand of one of the crown officers, decided three times during the two last terms, and at least five times during the past year, that an advocate had a right to answer a crown officer, in a case for defamation; it may now be considered a rule, that an advocate is entitled to reply to a crown officer; and the only right the latter can claim is, that he may answer such advocate without preventing the other crown officer, with whom that advocate may be adjoined, from being heard *last*, if pleading FOR THE DEFENDANT; if, on the contrary, he plead FOR THE PLAINTIFF, then, immediately *after* the advocate with whom he is adjoined, and *before* the crown officer to whom he is opposed. In this manner, the respective rights of crown officers and advocates are preserved, according to a regulation of Court made between them a few years back.

Such was, in substance, the result of many hours patient and laborious investigation on the part of the judicial body in this island, and yet, with a little care, in what a narrow compass might not the whole be confined.

MEMORABILIA OF GUERNSEY, FOR 1836.

JANUARY.

Royal Court.—The decision of privy council, in the celebrated affair of the tax question, was made known to the public, by which the ancient mode of rating Foreign and English funds was confirmed, and declared to be the established law of the island.*—William Collings, esq. was re-elected supervisor of the harbour, and treasurer of the States.—The king's weights were let to Mr. John Cochrane for one year, at a rent of £205, and £10 for the premises; also for one pound to the receiver. The contractor was bound to keep the whole in repair.—The court decided that the old copper money of France should cease to be a legal tender, after a month's notice.—An ordinance was passed compelling the sellers of beer and cider, consumed on their premises, to pay eight pounds per annum for a licence, as the publicans do.—In reference to the law of debtor and creditor, the court provisionally ordered, 1st. That every act or registry for a debt first due, obtained within fifteen days prior to insolvency, shall give no preference to a creditor who may have obtained it on the immovable property of the debtor, except for the money out of pocket in obtaining such registry, which shall be paid in full. 2ndly. That the precise date of the insolvency shall be fixed by the court, according to the circumstances of the case, and that such

date shall be from a day when acts or registries shall have been passed for debts precedently due in actions against the debtor, to obtain confirmation of arrests for sums sufficiently considerable in reference to the estates of the debtor, in order that a reasonable presumption may be established, that his affairs were then in so disastrous a state, that he could not meet the claims of his creditors. 3rdly. That every creditor, whether he shall have made an arrest or not, who resolves to declare the insolvency, must either oppose the sale of the debtor's goods, or present himself before the *commis* of the court, before whom the other creditors may have been sent to prove their respective demands and preferences, or demand an intervention in the cause in any action on the part of an arresting creditor against a third party, in whose hands the arrest is made, for the purpose of declaring what he may owe or have in hand belonging to the debtor.

Abrogation of dilatory pleas.—1st. The default of '*vers à dix-huit sous*' abolished, in civil causes. 2ndly. The delays of '*aux frais pour n'avoir pas instruit son avocat*,' and '*aux frais pour n'avoir pas ses pièces*,' shall no longer be granted to a defendant, after an act of '*vers biens*,' of '*vers désobéissance*,' of '*vers reconnu*,' or of '*vers arrêt confirmé*,' or of '*vers signification confirmée*.' 3rdly. That in every action to obtain payment of bills of exchange, and other negotiable securities, or of *billets* passed before the

* For full particulars, the reader is referred to page 113 of our first volume.

court, or two magistrates, whether payable to order or otherwise, the delay "*aux frais pour n'avoir pas instruit son avocat*," be annulled. 4thly. That in all actions to obtain division of an inheritance, the delays "*aux frais pour n'avoir pas instruit son avocat*," and "*aux frais pour n'avoir pas ses pièces*," be refused to the defendant. 5thly. That when a creditor, who has obtained permission to issue a warrant or summons on the real estate of his debtor, (*exploiter*) shall put a cause against him "*à lui indiquer un fonds sur lequel il puisse exploiter*," it shall be lawful for the creditor, if the debtor makes default, either to arrest his person, or to take the following appointment: "*vers et est permis de se saisir de tout et tel héritage comme peut appartenir au dit défendeur*." 6thly. That when a defendant is absent from the island, it shall be sufficient to call on him to appear (*évoquer*), on two consecutive Sundays, after the performance of divine service at his parish, and then to appoint an attorney, as his representative. 7thly. That when a necessary witness is absent from the island, the first delay shall be "*sursoira quinze jours*," and the second, the time being fixed by the court according to the circumstances of the case, "*sursoira pour autre terme*." 8thly. That in every *vue de justice*, that is to say, when the judges personally inspect the subject matter in dispute, be it land or building, the cause shall be decided by a single default, the plaintiff proving that the defendant had regular notice by summons. 9thly. That all leases and sales of rents, before *commis*, shall take place after the second publication, instead of the third. 10thly. That no letting on rent, or sale of rent, before *commis*, shall take place, before the subject has been advertized in one of the French gazettes printed in the island, except in urgent cases specially sanctioned by the court. 11thly. That the proceedings in the pleas of inheritance to ratify and confirm a renunciation made in the mobiliary court, be reduced to two defaults, instead of three, to wit, "*vers premier défaut, et sera le prévôt partie*," and "*prevôt du roi amerçi, ratifie, et corrobore, soit partie présente, soit après avoir fait évoquer le défendeur*." 12thly. That after renunciation in the mobiliary court, the period during which the registry of the *saisie* shall remain open, shall be reduced from nine months to six months. 13thly. That in order to prevent improper defaults being taken, and to give the party summoned ample time to give due notice to his witnesses, the *jours* shall be served in the following manner, except in urgent cases, at the

discretion of the court, and in matters relating to shipping:—

In the ordinary court.—When there are no witnesses, guarantees, or parties ordered to intervene in a cause, the summonses to the principal parties shall be served at least two days before the cause can be heard; on the Thursday for the Saturday, and on the Friday for the Monday; but if there be witnesses, &c., then the summons must be served on the principal parties three days before the cause can be heard.

In the admiralty and criminal court.—When there are no witnesses, &c., one day before the trial is sufficient, except in special cases, when the time must be three days at least.

Pleas of inheritance.—When there are no witnesses, &c., the summonses to the principal parties shall be served, at latest, on Thursday; but when there are, then they must be served on the Wednesday for the following Tuesday, and four days before the day fixed for arbitrations or opposition to legal claims.

In judgment, whether in admiralty or otherwise, the summons must be served four days before the cause is passed.

In *vue de justice*, whether in admiralty or otherwise, the summonses to the principal parties must be served at the least four days before the hearing of the cause.

The court further decreed that the present ordinance in no respect invalidates those clauses of the ordinance of the 23rd May, 1797, which regulate the time in which ajours and significations ought to be served to reduce, into writing, depositions made in *présenti*, to be considered in futuro.

The court empowered the constables to remove such scrapers, as jutted out from houses in the public streets, when they seemed dangerous.

Parochial Meetings.—Mr. Charles Lau-ga was elected constable for St. Peter's Port, to replace Mr. Havilland Carey. He protested against the election, on the score of bad health. Mr. John Vidamour was elected treasurer of the town hospital. Mr. William Brock, vice-treasurer, Messrs. Barley, Guerin, and Jones, directors. Messrs. Le Page, Le Normand, and Dorey, were elected collectors of the poor. A vote of thanks was unanimously given to Mr. H. De Garis Agnew, for his services as treasurer.

Official Appointments.—Mr. H. Tupper, one of the advocates of the royal court, was nominated agent to Lloyd's, in room of Mr. A. Isemonger. Messrs. Roussel, Brouard, Le Lacheur, and Sarre, were named collectors of the poor of St. Andrew's.

Miscellaneous.—The galiot Vrow Catherine was wrecked at the back of Guernsey.

FEBRUARY.

Royal Court.—Mr. Charles Langa was released from discharging the office of constable, on the depositions of Doctors Monk, Hoskins, and Mansell, who declared that his life might be endangered if he performed the duty.—The order in council, confirming the act of the states, which granted the resignation of Mr. Le Pelley from the office of jurat of the royal court, was read.—Mr. F. B. Tupper took the oath of constable, as successor to Mr. H. Carey.—Mr. W. M. Arthur was sworn in assistant constable, as successor to Mr. Taudevin.—The court granted eight pounds sterling, from Mr. De La Court's fund, to Charles Richard, who lost a boat at Bourdeaux harbour.

Official Appointments.—Mr. N. Le Beir, of the King's Mills, was sworn in one of the vavasseurs of the court St. Michel.—Dr. Churchill was elected surgeon of the town hospital.

Miscellaneous.—John Bazin, for many years captain of the Ariadne, died at Cowes.

MARCH.

Royal Court.—Mr. Thomas Snow, jun., took the oath of assistant constable for the town parish.—The court decided that Grange Road, from the house of J. Carey, Esq. up to the college, should be repaired; that the carriage way should be macadamized at the expense of the states; that the footpath on the south side should be paved with granite flags, half of which latter expense was to be paid by the proprietors of houses or lands bordering on the road.—H. Dobrée, jun., took the oath of a jurat of the royal court.

Chamber of Commerce.—The members assembled at the douzaine room, when two plans were presented for the erection of a new pier and the improvement of the harbour, when it was decided that they should be submitted to the bailiff.

Official Appointments.—J. De Putron was elected constable of St. Martin's.—Lieut. P. Nicolle, of the royal artillery, was promoted to the rank of captain of a brigade.—M. Price, jun., received his commission as lieutenant in the east regiment of light infantry.—P. Tostevin was elected constable of Torteval.—Mr. D. De Mouillied was elected a douzainier of St. Martin's.

APRIL.

Royal Court.—Colonel De Havilland took the oath of constable of St. Andrew's.—The court decreed by an ordinance, that, after the 1st of June next, every de-
for moveable property, for which

there is no written acknowledgment of debt, nor ratification by act of court, shall be barred by prescription after ten years; and further, that prescription commenced, and for the completion of which it would be necessary to follow up beyond ten years counting from the 1st of June next, shall be deemed mature by the lapse of ten years from the said 1st of June.—All boatmen are ordered to put the baggage of passengers on shore and deposit it in a convenient place, so that the owners, porters, and others, may carry it away, to wit, on the quays, if the debarkation takes place in the harbour, or on the beach or rocks, if at low tide, under a penalty not exceeding ten livres tournois. It was also forbidden to every person to descend the pier steps during the landing of passengers from the packets and other steam boats, under a penalty not exceeding ten livres tournois.

The harbour master was ordered to have boards placed on the piers, stating the legal charges of boatmen and porters, as well as the above regulations, one quarter of the penalties to be paid to the king, and the remainder to the informer.—In reference to the exportation of corn, the court ordered that the certificate of the grower should be preserved with the certificate of the exporter, and that they should only be sworn to before the court.—Captain Collas was sworn in deputy harbour master, and constable of the pier, for the term of two years.—Mr. R. W. Isemonger was sworn in provisionally harbour master of St. Sampson's.—The court granted thirty-nine pounds to the owners of boats wrecked in the storm of the 28th of March.—By virtue of an order in council relating to the Arcade, the court, being duly empowered so to do by their lordships, fixed the conditions on which that property was to be sold, which we have already printed at page 320 of our first volume.

Parochial Meetings.—P. J. Martel and A. J. Naftel were unanimously elected douzainiers of the town parish, to replace E. Guerin, deceased, and J. Betts, resigned.

Official Appointments.—Dr. P. J. Grut was unanimously re-elected surgeon to the country hospital.—R. W. Isemonger was confirmed in the appointment of harbour master of St. Sampson's for three years.—J. Fallaise was elected constable of St. Martin's.—Major J. Harvey was promoted to the rank of lieutenant-colonel of the first regiment of royal infantry; Captain E. Collings to the rank of major; and Lieutenant D. Sheppard to that of captain.

Miscellaneous.—Died, P. Gauvain, president of the court of Alderney, which office he had held for forty years.—The Navigateur, of Caen, and Eliza, of Rouen,

were totally wrecked at Glatney, when five of the crew perished.

MAY.

Royal Court.—In reference to boatmen, the court ordered that they should be divided into two or three divisions, at the discretion of the supervisor of the harbour. That the deputy harbour master keep two lists corresponding to the said divisions, which lists are to contain the names of the boatmen, the names of their boats, and their number, as well as their dimensions, and the number of passengers that each boat be permitted to carry, and each of these lists is to be designated by one of the first three letters of the alphabet. 2d. That every boatman engaged in landing passengers, shall be obliged to have the number of his boat painted in legible characters on the bows and the stern, and present himself at the office of the harbour master, in order that his name and the names of his crew may be registered, under a penalty of fourteen livres tournois, payable by the owner of the boat, one-third to the king, and two-thirds to the informer. 3d. That the number of passengers which each boat shall be allowed to carry, shall be regulated by its length in manner following: for a boat measuring from 14 to 18 feet, six passengers; for one of 18 to 22 feet, eight passengers; for one of 22 to 26 feet, ten passengers; and above that size, twelve passengers. No boat to be less than 14 feet. The charge from the harbour to the masthead, or the rocks called St. Julian, shall not exceed tenpence for each passenger, his baggage included; and for putting a passenger on board a vessel within the pier, or at its mouth, the charge shall not exceed five pence, baggage included; and every boatman who shall carry more passengers than his licence permits, shall be fined fourteen livres tournois per passenger. 4th. It shall only be lawful for the boatmen of one of the said divisions at a time to land passengers from the steamers, and each division shall successively have this exclusive privilege for a week; but this restriction does not apply to the carrying of passengers from the land to the steam boats, nor does it in any manner apply to sailing vessels. For the infraction of this article, a penalty of three livres tournois per passenger shall be imposed. 5th. Boatmen are to land the baggage of passengers, and place it in a convenient spot, as already stated in our April report, and the same prohibition, as therein stated, was enacted a law, in reference to blocking up the pier steps on the arrival of the steamers. As to porters, this same ordinance of the 11th

April enacts, that each shall inscribe his name at the office of the harbour master, and wear a brass badge on his left arm, on which his number shall be marked. Porters are prohibited from touching the baggage of passengers, without the permission of the owner, or of those who are left in charge of it, under a penalty of being suspended for such time as the court may deem reasonable, and, until they are called, they must remain against the walls. Moreover, no porter shall carry a second load, before all the porters, wearing a badge, and present at the landing, shall have had one load, under a penalty not exceeding ten livres tournois; the said porters shall have a right to charge six pence for carrying a trunk to the hotels and lodging houses at the bottom of the town.

The court awarded fourteen pounds ten shillings sterling, assalvage on the French vessel, the *Navigateur*, and thirty pounds sterling for the salvage of the *Eliza*.—Mr. W. B. Moulin, being actioned for refusing to serve in the militia, pleaded that he held the rank of captain in the militia of Cape Breton, and, therefore, was entitled to an equal rank in the Guernsey militia. The plea was held bad, the bailiff remarking that the laws of another country were not binding here, and that Mr. Moulin must either join the ranks or accept the offered commission of a lieutenant.

States Meeting.—The object of this meeting solely referred to the improvement of the harbour, a copious report of which will be found at page 370 of our first volume.

Parochial Meetings.—At a meeting held in the Côté parish, it was decided that for the future no parochial deliberation, which involved the expenditure of public money, should be deemed legal, unless due notice of such meeting be advertised in the French papers on the Saturday preceding it.

Official Appointments.—Mr. J. Du Bois Dobrée was named lieutenant in the third or south regiment of light infantry.

Miscellaneous.—Mr. Oliver Mauger, son of Dr. Mauger, obtained one of the prizes awarded by the medical school at Westminster.

JUNE.

Royal Court.—On the recommendation of Peter Le Pelley, lord of the manor of Serk, the court awarded £2 12s. sterling, out of the fund of Mr. De La Court, to Wm. Hammond, who lost a boat in the late storm.—By virtue of the act of court, dated 26th April last, the Arcade was put up to auction, and knocked down to Mr. James Arnold, acting for Messrs. De Lisle and Richards, for £11,500 sterling, and

an annual ground rent of three hundred and five quarters, two bushels of wheat.

—Mr. Peter Blampied was sworn in constable of St. Sampson.—John Guille, esq. our worthy lieutenant-bailiff, was deputed by the court to proceed to Jersey, for the purpose of presenting two silver vases to Messrs. Le Breton and Le Couteur, the court having declared, "That the States have resolved to present a token of their esteem to Messrs. Le Breton and Le Couteur, for the zeal they displayed on their deputation, in defending our privilege of importing into England, free of duty, corn, the produce of the islands.—Mr. Daniel Le Mesurier was sworn in as one of the douzeniers of the Catel parish, in room of Mr. Thomas Massy, resigned.

Official Appointments.—Mr. J. Thome received his commission as lieutenant in the first or East regiment of infantry.

Miscellaneous.—The portrait of the bailiff, voted by the States, for the various important services that he has rendered to his country, was placed in the court house.—Mr. W. Machon launched a vessel of about seventy tons, and Mr. Parrot a cutter of about forty tons.—Mr. B. Hawkins arrived for the purpose of inspecting the state of the prison.—Lord De Saumarez laid the foundation stone of the new church at the Amballes.—Died at Alderney, Mr. J. Le Cocq, aged seventy-two years, who had been a jurat of the court thirty years.

JULY.

Parochial Meeting.—The heads of families in the town and parish of St. Peter's Port held a meeting at which Mr. W. Brown was re-elected a director of the town hospital, and Messrs. T. Carré and J. Marche replaced Messrs. A. Bishop and W. Guille.—At the same meeting Messrs. De Beaugy, Angel and Brouard were elected collectors of the poor, in the room of Messrs. Grut, Collings, and Collenette.

Miscellaneous.—The medals struck in honour of our worthy bailiff, at the sole expense of Mr. P. Bienvenu, jun. arrived in the island from Birmingham.—The celebrated polar navigator, Sir John Ross, visited the island.—Died suddenly, the Rev. T. Grut, rector of St. Andrew.—Mr. Lucas Le Cocq was elected jurat of the royal court of Alderney, in the room of his deceased father, by a majority of 88 votes.

AUGUST.

Royal Court.—Mr. N. Mahy was sworn in constable of the Catel.—Mr. J. De Putron was sworn in constable of St. Peter's-Port.

Official Appointment.—Dr. Bisson was

unanimously elected surgeon of St. Sampson's parish.

Parochial Meeting.—A meeting was held of the heads of families of the town and parish of St. Peter-Port, when it was decided by a large majority, that the town church should be lighted with gas.

Miscellaneous.—The *Atalanta*, steam-boat, arrived here for the first time from Southampton, on Wednesday, 24th inst. A superb piece of plate valued at upwards of four hundred pounds was presented to John Jeremie, esq. formerly an advocate of the royal court of Guernsey, by the subscription of several of the most distinguished philanthropists in England, as a mark of their esteem for his exertions in the abolition of negro slavery.—Doctor P. Grut was thrown from his horse and unfortunately killed, to the great regret of a numerous circle of friends.

SEPTEMBER.

States Meeting.—The States voted a piece of Plate to his excellency major general Ross, as a mark of the public esteem, for his conduct during the period he has held the office of governor of this island.

The principal object of this meeting was to adopt precautionary measures of defence against the threatened attacks of the local banks against the States notes. A long and stormy discussion took place which terminated in the appointment of a financial committee, who were deputed to hold a conference with the proprietors of the two banks.

Official Appointments.—J. Gaudion, attorney-general in Alderney, was named judge of that court.—W. J. Sanford was named his Majesty's receiver in that island, and T. Barbenson was appointed successor to Mr. Gaudion, in the office of attorney general.—Mr. H. Price received a commission as lieutenant in the town regiment.—Doctor Bisson was elected surgeon of the country hospital, in the place of Doctor Grut deceased.—The Rev. E. Mourant took possession of the parish church of St. Andrew, vacant by the death of the Rev. Mr. Grut.—The Rev. D. Dobré was appointed rector of the united parishes of the Forest and Torteval.—The Rev. F. Jeremie was elected minister of Trinity chapel by a majority of eight votes.

OCTOBER.

Royal Court.—At the chief pleas of Michælmass term, the rents for the year 1835 were fixed at twelve shillings and sixpence a quarter; capons at 4s. 3d. a couple, and fowls at 2s. 10d. a couple.—The court after having heard the conclusions of the king's officer decreed, 1st. that

there should be a roll kept on which all causes should be entered according to their date, excepting those herein after specified. 2dly. That as soon as a cause is placed on the roll, no further delay shall take place in its hearing, but that every cause shall pass when called. 3dly. That in case both plaintiff and defendant agree not to pass a cause when called, such cause shall be placed at the bottom of the roll by the Greffier. 4thly. Causes on bills of exchange, or documents duly signed by a party, leases, freights, wages of sailors and servants, shall be privileged, and be heard in preference to all other causes inscribed on the roll. 5thly. That the Monday causes shall continue to pass as they do now. 6thly. That during the time that a cause is on the roll, prescription shall cease to run.—Mr. M. A. B. Corbin was authorized by the court to practice as a medical man in the island.—Mr. John Moullin took the oath of constable of St. Peter's Port, in the place of Mr. John De Putron, absent from the island, but with a reservation compelling Mr. De Putron to complete the usual term of office at his return.

Official Appointments.—Mr. Havilland Carey was elected a douzenier of St. Peter's Port, in the room of Mr. Edward Collings, resigned.—Mr. F. C. Lukis, who presented diplomas from the colleges of London, Dublin, and Heidelberg, was authorized to practice medicine; and the same permission was granted to Mr. Scott, lately surgeon in the Rifle Brigade quartered in this island.

Chamber of Commerce.—The members presented a vote of thanks to his excellency major-general Ross, as a mark of their approbation of his conduct during the period that he has been governor of the island.

Miscellaneous.—Mr. James Walker, the celebrated civil engineer, arrived in Guernsey to make a plan for the improvement of the harbour of St. Peter's Port.—The Rifle Brigade quitted Guernsey, and were replaced by the dépôt of the 70th regiment.—The officers of twenty-three regiments, stationed at Chatham, presented a piece of plate to Captain John Doyle O'Brien, son of Dr. O'Brien of this island, as a token of their approbation of his conduct, in discharging the office of adjutant of that garrison.—Peter Galienne was drowned at Alderney in a diving apparatus.—Mr. White, professor of mathematics at the university of London, his wife and mother, together with two Guernsey pilots, Thomas Mitchell and Charles Smith, were drowned in attempting to cross from Serk to Guernsey.—

Died, the Right Honourable Lord de Saumarez: for a copious and authentic memoir of his life and services, the reader is referred to page 298 of the second volume of this Magazine.

NOVEMBER.

Royal Court.—Edward Johns and Thomas Pengelly were sworn in assistant constables for St. Peter's Port, as successors to Peter Robilliard and John Mollet.—Mr. Benjamin Collenette obtained permission to practice medicine in the island.—The court awarded £41, out of De La Court's fund, to various fishermen, whose boats had been damaged during the late tremendous gale.

Official Appointments.—The Reverend Frederick Jeremie, the successor of the Rev. Daniel Dobrée in Trinity chapel, took possession of his preferment.—John Le Cocq was elected Procureur des Pauvres, by the heads of St. Peter's Port.

Miscellaneous.—Died, the Rev. Edward Mourant, rector of St. Andrew's parish, aged 68 years.

DECEMBER.

Royal Court.—His Majesty's attorney general presented a commission signed by Lord John Russell, secretary of state for the home department, by which his lordship appointed John Gaudion, esq., formerly his Majesty's attorney general in the island of Alderney, chief judge of that island, in the room of Peter Gauvain deceased. After the commission was read Mr. Gauvain took the oath of office.

Mr. J. B. Barbet was sworn in deputy foreign postmaster.—Peter Martin, his Majesty's deputy sheriff, acting under an order of the royal court, dated 26th November, put Messrs. De Lisle and Richards into full legal possession of the Commercial Arcade.—Louis D'Orleans, a native of France, accused of having extorted money from several persons, pretending that they were bewitched, and that he could expel the devil, chose advocate Falla for his counsel. Being asked after the indictment was read, whether he was guilty or not guilty, D'Orleans answered that he was guilty of having cured those whom the medical men had pronounced incurable.

Official Appointment.—Dr. W. P. Monk was elected by the douzaine, surgeon of the town and parish of St. Peter's Port.

Miscellaneous.—The American ship Eliza, of Philadelphia, was wrecked near L'Ancrese. Crew saved.—Robert MacCulloch, advocate of the royal court, was married to Maria Elizabeth, daughter of the late James Hyde Champion, esq.

MEMORABILIA OF JERSEY FOR 1836.

JANUARY.

STATES MEETINGS.—Judge de Ste. Croix excused attendance, being in prison for having refused to deliver up the books of his firm to the guardian of his niece, as ordered to do by a sentence of the Royal Court.—Argument on the New Electoral Law, by which the right of voting was given to persons possessing £40, instead of £120; when Mr. Godfray was deputed by a large majority to inquire, in London, if a Caveat against the Order in Council being changed, as prayed by the States on the 26th December, had been lodged and was to be supported.—The petition of 359 British residents against the Farmer's petition, who demanded the exclusion of French agricultural produce from the Jersey market, was discussed, and ultimately lodged *au Greffe*.—Mr Godfray's *projet d'acte*, for vessels which anchored in the roads without coming into the pier, not to pay harbour dues, was passed unanimously.—The accounts of the Agents of the Imposit, examined by a Committee for the year 1835, were lodged *au Greffe*.

PAROCHIAL MEETINGS.—Constable Perrot met his constituents concerning the Farmer's Petition, when he was unanimously instructed to oppose it in the States.—A numerous and respectable meeting of British residents assembled at the Royal Yacht Club Hotel for the same purpose, who were most ably addressed by Mr. Kaye, when they resolved on petitioning the governor, the bailiff, and the other members of the States, against this monopoly.—A parish meeting was held to decide on the report of its committee, relative to the building of the parish arsenal: and concerning the improvement in Church Lane. On the first point they deducted £22: 10 from the account of the contractor, Mr. Binet. On the second, a small majority decided that the act of the 8th December, authorizing the widening of Church Lane, be abandoned.

CHAMBER OF COMMERCE.—The President informed the members that he had presented their petition against the 1606 farmers to the States. He then laid before them a letter he had received from the Governor, relative to a patent for distillation, which had been obtained by Mr. Sheridan, in which that gentleman prayed that his patent might be recognized in Jersey. The Chamber unanimously objected to granting any patent, for which no single precedent existed.

OFFICIAL APPOINTMENTS.—Captain James Luce was appointed harbour master for Gorey, in lieu of Captain Bertram, resigned.—Captain Phillip Journeaux, jun., to be Major of the town battalion in the room of the late Major de Quetteville, deceased. Francis Journeaux, gent. was appointed to an ensigncy in the same corps.

MISCELLANEOUS.—First trip of the Lady de Saumarez, steamer, from Southampton.—Lieutenant-Colonel Lewis presents his report on the state of the harbour of St. Helier's.—An unusual number of robberies and burglaries committed.—Potatoes dearer than ever known before, being 14d. the cabot.—The mother of Sir John De Veuille, bailiff, died at Colomberie.

FEBRUARY.

ROYAL COURT.—Louis Antony Marin, a Frenchman, was charged with having murdered Miss Mary-Ann Bethell, by giving her arsenic. The Petty Jury found him more guilty than innocent. Advocate Godfray, counsel for the accused, appealed from this sentence to the Grand Jury. The Grand Jury pronounced the following verdict: "Mary-Ann Bethell having formed and declared her intention of destroying herself, and having commenced alone to put it into execution, by taking laudanum which she had found in a

drawer at Mr. Barber's lodging, and that without the participation of any other person, the Jury are unanimously of opinion that the accused is guilty of the crime of homicide on the person of the said Mary-Ann Bethell, under circumstances of aggravation. The prisoner being brought before the Royal Court to receive a measure of punishment accordant with that verdict, the Attorney General thus delivered his conclusions: "That Marin be perpetually banished from the island, and not return hither under pain of death: and be transported to such place as his Majesty may deem fit, and there to be put to hard labour for the remainder of his days, and that his property be confiscated to the king."

OFFICIAL APPOINTMENTS.—Mr. J. Rozel Poignant was appointed Ensign in the 4th regiment or the Town Battalion.

MISCELLANEOUS.—John William Dupré, esq. the king's advocate, proceeded to Guernsey to present a piece of plate to Daniel De Lisle Brock, esq. Bailiff, voted to him by the States of Jersey, as a mark of their gratitude and esteem for his exertions on the corn trade of the islands.—A fine schooner, of 120 tons, was launched by Messrs. Deslandes, and named the Lord Anson.—The Committee of Harbours accepted Mr. Hater's tender of £4,500 for constructing the works at Gorey.—Died, universally regretted, Captain Bazin, many years commander of the Ariadne, steamer.

MARCH.

STATES MEETINGS.—A letter was read from the Bailiff of Guernsey, acknowledging the present of the piece of plate, which was ordered to be lodged *au Greffe*.—Judge D'Avranche proposed that all the public accounts should be lodged *au Greffe*, and this was carried by a large majority.—Mr. Godfray demanded that the States should explain their decision in the act, and proposed that, for the future, vouchers should be produced for all accounts: carried unanimously.—Judge Le Quesne presented a supplementary petition from the British residents against the Prohibition Act. A discussion on the proposed alterations in the structure of the Royal Court ensued, but nothing was decided.—The reform of the criminal law bill as drawn up by the King's Advocate mooted, but postponed on a division.—Penalties for the illegal exportation of corn brought forward by Judge Le Couteur, when the States decided on waiting for the report of their committee.—Mr. Centenier Ching presented a petition against the repeal of the law permitting the importation of French cattle, &c. into the island. Lodged *au Greffe*, and referred to the committee.—Mr. Godfray introduced a *projet de loi* for the recovery of debts without *reconnaissance en decrets*. Lodged *au Greffe*. Mr. Godfray next presented a *projet de loi* for the commutation of tithes due to the King and clergy. Lodged *au Greffe*, and a committee appointed to take it into consideration.—Mr. Godfray then read his proposition for the equitable adjustment of parish rates, and demanded that it should be discussed at once, and referred to the committee. This was opposed by Judge Le Quesne and Mr. Centenier Ching, but on the question being put to the vote by the Bailiff, it was resolved to proceed with the discussion. Mr. Godfray then argued that St. Helier's ought to be rated at one-third instead of one-fifth, on account of its increased size, and the consequently augmented value of its property, since the old rate was fixed. Judge Nicolle, in reply, admitted that the town parish had certainly increased in houses and in wealth, but he observed also that the country parishes had shared in the general prosperity. Land, he said, which was formerly sold at six cabots, was now valued at from three to

five quarters; and wheat-rent, which a few years back was worth three hundred livres, was now sold at from 460 to 430 livres the quarter, an increase from £12. 10. to £17. 10. After a sharp and angry discussion, the preamble of Mr. Godfray's bill was carried by a majority of nineteen to nine. The law was afterwards passed by the same majority.

The revision of the criminal law was again discussed by the States. Mr. Constable Perrot proposed that there should be in future only ONE jury, which view of the subject was supported by the Attorney General, Judge Nicolle, and Centenier Ching; and opposed by the king's advocate, Judge Le Conteur, and Constable Godfray. The proposition of Constable Perrot was rejected by a majority of one.—The next point, recommended by the king's advocate, was the establishment of three assizes, to be held six times in each year: opposed by Constable Godfray, and rejected by a large majority.—A most disgusting scene then ensued. Constable Godfray accused the Rev. Mr. Durell of having made a false affidavit, who, at once and plainly called Mr. Godfray a liar. Strange to say, the Bailiff did not interpose till the Attorney General reminded him of his duty.—Constable Nicolle presented a petition from fishermen and others residing in his parish, praying for money to repair the road leading to Bonne Port harbour, and that a ship might be formed to ease the descent of carts carrying sea-weed, &c. Lodged au Greffe.—Judge Le Queune presented a petition from certain Jersey merchants, praying that the States would petition Council to place the trade of the island on an equal footing with the mother country in the colonies, Jerseymen being there considered as foreigners, and being subject to pay the same duties, as though they were not members of the British nation. Lodged au Greffe.—Constable Godfray read a petition which had been signed au Greffe, for making two new roads in St. Saviour's parish. Granted, without a dissenting voice.—He next lodged a notice au Greffe demanding that, for the future, the persons composing the Coroner's Jury be sworn by the Deputy Viscount.

ROYAL COURT.—Mr. Philip Lempriere refused to be sworn, he being a quaker, but tendered his abjuration. Pronounced inadmissible by the Attorney General. The court decided that Lempriere should take the customary oath, or go to prison. On this Advocate Godfray said that his client would dispense with the testimony of Lempriere. Thus the matter ended.—The Attorney General presented a report from the deputy viscount, with a letter from the governor of the prison, complaining that the felons Vautier, Gresley, De Garis, and Carter, had made a hole through their cell, and escaped from the prison. The court ordered that a prise de corps (authority to any individual to seize their persons,) be issued against the prisoners.—A guardian was appointed to Mr. Roussel, who had been dumb from his infancy.

PUBLIC MEETINGS.—A meeting of the town parish was convened to protest against the act of the States, which decided that St. Heller's should pay one-third of the island expenses, instead of one-fifth, when Mr. Centenier Ching proved from the documents prepared by Mr. Constable Perrot, who was absent through sickness, that the town paid much more in money than the country, and he showed that, in the years 1832, 1833, and 1834, the surplus paid by the town amounted to £1133 4s. 10d. The meeting decided to lodge a caveat against the confirmation of the act of the States.

CHAMBER OF COMMERCE.—The president and vice-president resigned their offices, their whole time being occupied by their judicial and legislative duties. A vote of thanks was tendered to them for their past services. At the same meeting it was resolved "that the thanks of the chamber be voted to John Durell, esq., late principal

officer of his Majesty's Customs in this island, for the constant facility he has kindly afforded to all merchants, and others concerned in trade, in the furtherance of their respective callings, during the 28 years he was in office.

OFFICIAL APPOINTMENTS.—F. Le Breton, esq. and P. W. Nicolle, esq. were elected president and vice-president of the Chamber of Commerce.

MISCELLANEOUS.—A memorial was addressed to Lord John Russell from the dissenting ministers, praying the two parliamentary bills respecting the registration and marriage of dissenters might have the force of law in the island.—A schooner of 123 tons burthen, named the Mary and Elizabeth, was launched at St. Aubin's for a Liverpool company.—The first stone was laid for the improvement of the new works at Gorey Harbour.—Commercial street ordered to be paved.—At the Cattle Show, the first prize for the best yearling bull was awarded to Mr. John Tocque, St. Lawrence, and he also received the first prize for two year old bulls. The first prize for the best horse was given to Mr. John Aubin, jun. St. Saviour's.

APRIL.

STATES MEETING.—The report of the committee for the defence of the island was unanimously adopted, and at the request of the Lieutenant Governor, a sergeant was named to the town battalion, to take charge of the new arsenal.—Judge Blason then read the report of the committee for the harbour of Bonne Nuit, which recommended the construction of a ship. Lodged at the Greffe.—Constable Perrot moved for a committee to reconsider the act of the States of the 9th March last, by which it was decided that St. Heller should be rated at one-third, instead of one-fifth. Carried by a majority of 23 to 7.—The report of the committee to punish more severely persons guilty of introducing foreign instead of Jersey corn into England was passed.—Constable Perrot lodged a proposition at the Greffe, to continue the lighting of the town by means of the licenses on public houses.—The discussion on the Criminal Law was then renewed, and the States decided on having but ONE Jury, thus reversing the decision of their last meeting by 30 to 10.

ROYAL COURT.—The order in council respecting Marin, found guilty of the crime of homicide on the person of Mary-Ann Bethell, was read by the Attorney General. The following was the substance of it: "His majesty in Council is this day pleased to order, and it is hereby ordered, that the said Louis Marin, otherwise Louis Antoine Marin, for the said crime, under and in pursuance of the said sentence, be transported out of the island of Jersey to New South Wales, or Van Dieman's Land, or some one other of the islands adjacent thereto, for the term of his natural life, there to be kept to hard labour as aforesaid." The order in council was duly registered, when the Attorney-General presented a report from the Deputy Viscount, complaining that his Majesty's Receivers would not supply the funds necessary to remove Marin out of the island. The Court decided that the deputy viscount should be authorized to effect this object at the expense of the Receivers. Against this the Attorney-General appealed, but, notwithstanding, the court persisted in their decision.

An Order in Council of the 23rd March last, confirming an act of the States, by which vessels anchoring in the roads will not, for the future, pay harbour dues, was ordered to be registered, that it may have the full effect of law.

The Rev. Edward Durell, Rector of St. Saviour's, presented a remonstrance against John Poindestre and Francis Payn, praying for five thousand pounds damages. After some debate, Mr. Poindestre was allowed to take down the depositions of Mr. Francis Payn in the presence of the Deputy Viscount, Poindestre having declared that he could prove every thing that he had stated.

PAROCHIAL MEETINGS.—Constable Perrot presided at a meeting convened on the subject of the rate question, when it was decided that the expenses of the law suit before Council, in appeal against the act of the States for changing the rate of St. Helier's from one-fifth to one-third, be paid out of the parochial rates. The following merits to be recorded, for the information of strangers particularly. The quarter of parish rates and that of wheat rent, are very different from each other. The first is that which is levied for the maintenance of the poor, main roads, &c. averaging annually in the country parishes from two to five shillings per quarter; the second is a mortgage on property; each quarter thus mortgaged is worth from sixteen pounds to seventeen pounds ten shillings, according to the net value of the property on which it is due, and the quantity of wheat rents which the proprietor of that property has to receive; the legal interest of each quarter annually received is sixteen shillings and eight pence.

CHAMBER OF COMMERCE.—Messrs. F. Janvrin and J. Deslandes were admitted members.—An answer was received from the Lieutenant Governor, on the subject of Mr. Sheridan's patent, in which his excellency entirely approved of the decision of the chamber.—Thanks voted to Captain Luce, of the brig Ditto, for saving the crew of the wrecked American brig, T. Lyon, Capt. Chase, near Guernsey; also to Capt. Lucas, of the Speedy, for towing into the harbour his Majesty's cutter Quail.—It was resolved that Captains White, Comben, and Living, commanders of the Post-Office packets, be admitted honorary members. The propriety of erecting a light-house on some conspicuous part of the island, and introducing a copper circulating medium, were discussed.

MISCELLANEOUS.—A thousand grey mullets were caught by one boat in one night at St. Brelade's bay.—His Majesty's cutter Quail was towed to England by the Ariadne.—Four prisoners escaped from the jail.—Marin conveyed to the hulks by the Lady De Saumarez.—The allowance for each prisoner's diet was reduced from 6d. to 3d. per diem, experimentally.

MAY.

STATES MEETINGS.—The president informed the States that he had convened them on the subject of the law respecting the military arsenals, which had expired on the 15th April last. He also read a correspondence from Government stating that French and English oyster boats dredged on Sundays, within the French boundary. After some discussion, the whole was referred to the Committee of Harbours.

On the proposition of Constable Godfray, the vacancies on the committees, created by the expulsion of the Rev. Mr. Durell, were ordered to be filled up.

Constable Godfray then said that Judge De St. Croix had committed fraud; that he had tried to spoliolate the property of his sister and niece; that he had insulted the Bailiff who had pronounced a judicial sentence against him, and that he had signed affidavits during his imprisonment. He moved for a Committee to investigate his conduct. This was opposed on the ground of the States having no right to accuse one of its members, the Attorney General remarking that his Majesty in Council alone had the right of impeachment. After a long debate, the proposition of Constable Godfray was put to the votes, and carried by a majority of sixteen to ten.

The Attorney General then recommended the establishment of lotteries. The discussion was deferred.—Francis Perrot tendered his resignation as treasurer of the hospital.

PAROCHIAL MEETING.—Constable Perrot, president, addressed the meeting, and said they must be aware that in the month of January last, a parish meeting was held in obedience to the

Order in Council of the 15th July last, but that they could not proceed to rectify the parish rate, in consequence of the opposition which was made by Messrs. De Quetteville, Simonet, and Hemery. Owing to their remonstrance, the parish was now in debt, and it was impossible to collect money for the wants of the parish and the poor. The meeting decided that the constable be authorized to sue those three gentlemen.

OFFICIAL APPOINTMENTS.—John Tousei, esq., was sworn into the office of centenier for Grouville parish.—The appointment of Charles Peter Elgreen, esq., as vice-consul for Sweden and Norway, was registered on the rolls of the court.—Mr. John Le Masurier was sworn in as military vingtenier for the parish of St. Clement.—Messrs. Blampied and John Le Couteur were re-elected centeniers for the parishes of St. Peter and St. Mary.

MISCELLANEOUS.—Mr. Rose's grand musical promenade, at the Greve d'Azette, and Mr. Hartung's, at St. Saviour's road, were opened to the public.—Thomas de Ste. Croix, aged 40, committed suicide by cutting his throat with a razor.

JUNE.

STATES MEETINGS.—The president informed the States that he had received another letter from the French minister of the Interior, recommending them to pass a law to prevent oyster dredging on Sundays. He next submitted an Order in Council, enclosing a petition and an affidavit, on the part of Judge De Ste. Croix, against the act of the States of the 3rd May last, naming a committee to take his conduct into consideration; also a protest against the said act by the members of the minority. Thirdly, he called on the States to continue the discussion of the Solicitor General's *projet de loi* in criminal cases.

The *Commiss au greffe* next read a *projet de loi* recommended by the committee of harbours, which subjected every fishing boat from Jersey, found dredging or fishing on a Sunday, to a fine of £10. Lodged *au Greffe*.

The attorney general then read the order in council which commanded that all further proceedings be suspended in the affair of Judge de Ste. Croix, and ordered the States to answer the petition, the affidavit, and the protest. On this Constable Godfray moved that the report of the committee be read. To this Constable Perrot objected, as this would amount to a disobedience of the order in council. A long debate ensued, when the motion of Constable Godfray was carried by a majority of four, and the report was read. The same committee that drew up the report, was then directed to prepare an answer to the lords of the council.

Constable Godfray lodged a proposition *au Greffe*, to the effect that all public functionaries should make their public declaration immediately after being sworn in, on pain of dismissal. He also urged the necessity of making a slip at the Greve d'Azette. A committee was appointed on these subjects.

The discussion on the criminal law was resumed. The principal alteration made was in article 17, where, instead of police officers alone being bound to summon witnesses to appear before the Royal Court to substantiate the evidence, after the seizure of the prisoners by the police, the words *police officers* were changed into *police officers or prevôts du roi*, (officers of the Royal Court who carry petty summonses,) thus leaving it at the option of the constables to have witnesses warned either by their own officers or the prevôts. The States then proceeded to article 44, and adjourned.

At the next meeting, it was proposed to erect a tower near Mount Orgueil castle.—An order in council was then read commanding the States to register an order in council for the better management of the customs. Referred to the Com-

justice of harbours.—The attorney general then read another order, enjoining the States to pass a law by which British vessels shall only pay in future the same harbour dues in the island, as Jersey vessels. Referred to the committee of harbours.—The answer of the committee, appointed by the States, to draw up an answer to the lords of the council, in the affair of Judge De Ste. Croix, was read. Constable Perrot moved that it be lodged at Greffe. Negatived. Constable Godfray proposed that that part of the answer which charged Ste. Croix with *intending to add perjury* be omitted. Objected to by Constable Perrot, who insisted on all, or nothing. Resolved that the words do remain. The several paragraphs having been adopted one by one, it was next submitted that the "answer" be transmitted to council. For the affirmative, 13; for lodging at Greffe, 4: 7 votes withheld. On this Constable Godfray moved that every member be compelled to vote: on a division, 11 voted with Godfray, 11 against him. The president gave his casting vote in his favour, when fifteen voted for transmitting the answer to council, and were opposed by nine. Constable Godfray then proposed that the expense of the legal proceeding be paid out of the public money. This was vigorously opposed by Constable Perrot, but he was left in a minority.

CRIMINAL LAW DISCUSSION RESUMED.—In article 45, the following alteration took place. Instead of "the Greffier shall take a note of the depositions," the words, "the court shall order the depositions to be taken," were substituted; thus relieving the Greffier, and appointing no responsible or definite person.—In the article which referred to the halberdiers, Constable Godfray proposed that the words "*Grande Enquete*" be changed into "Jury;" but the States decided that, as the persons who owed halberds, had received land as a compensation for that duty, and were bound to attend the *Grandes Enquetes* (Grand Juries), the alteration should not be made. There were 18 members against, and 8 for, Constable Godfray's proposition.—The next article, which was adopted unanimously, charged "the bailiff to sum up the case to the jury, and to comment on the proofs for or against the accused." Mr. Godfray proposed an amendment to another article to the effect "that the prisoner's counsel should always have the right of addressing the court last." Centenier Ching proposed Constable Perrot's amendment, which, instead of allowing the deputy viscount to remain with the Jury in their consulting room, was thus worded: "the deputy viscount shall lead the jury to their consulting room, and there remit them the documents relative to the case, when he shall retire and allow no one to communicate with them." Passed unanimously.—Mr. Godfray then proposed in another article, that "if the majority of jurymen declare that there are *extenuating circumstances*, that is to be stated in the verdict of the jury; in that case, the court will award a punishment inferior to that which the accused would have incurred if he were found guilty of the charge, without *extenuating circumstances*."—On the proposition of Mr. Godfray, the following was adopted: "In all cases, where the pain of death has been pronounced, the whole of the documents to be forwarded to his Majesty in council; and the sentence not to be put into execution until the pleasure of his Majesty be known." Mr. Godfray proposed as an amendment to article 57, "that the judges voluntarily absent at the assizes, shall pay the same fine as the jurymen, 10 pounds. Carried by 14 to 12. All the jurats protested against this as an indignity, as a fine upon a judge would be an insult. Mr. Godfray, however, persisted; but on taking the votes a second time, the former decision was reversed. The States then adjourned, after having proceeded as far as article 57 of the *projet de loi*.

ROYAL COURT.—Francis Caillot was presented, accused of the murder of Mary Jane Williams; chose Advocate Godfrey as his Counsel.—In the action of Rafter versus Giffard, for libel, the plaintiff was sent back to amend his action, because the letter *d*, in the word advertisement, in which the imputed libel was contained, was omitted.—The mutiny act was registered.—An act for the amendment of the customs was referred to the States.—Philip Le Sauter entered an action against Constable Perrot, and Mr. Babot, late governor of the goal.—It was argued on demurrer, that the action was badly entered, as the two defendants were conjoined, whereas a separate action ought to have been entered against each. The court admitted the demurrer, and Le Sauter was sent back to amend his action.—Mr. Le Cras was condemned to pay Mr. Rafter ten pounds damages for libel.

OFFICIAL APPOINTMENTS.—Mr. Abraham de la Mare, who was sworn into the office of centenier for the parish of St Clement's, on the 19th of October, 1835, was declared *démisssinaire*, and a new election ordered.

MISCELLANEOUS.—A king's plate for the Jersey races granted by his Majesty.—The schooner *Mastery*, of 125 tons, was launched from the building yard of Messrs. George Deslandes and Sons.—John Guille, Esq, Lieut. Bailiff of Guernsey, presented two pieces of plate to Thomas Le Breton and John Le Couteur, esqs. voted to them by the States of Guernsey, for their zealous and able exertions on the corn question.

JULY.

STATES MEETINGS.—The president informed the States that he had convened the present meeting for the following purposes. To consider an order in council founded on the petition of Constable Perrot and others, protesting against changing the mode of rating from one-half to one-sixth. To hear the report of their committee on another order in council for the better management of the customs. To decide on matters concerning the oyster fishery on the adjacent coast of France. To continue the discussion on the criminal law. To put a stop to the fishery on Sundays.

On the first point, Constable Godfray moved that the order in council, and the petition of Constable Perrot, be referred to the committee named on the 14th of January last. After some debate, this point was carried.

The attorney general then read the report of the committee, in answer to the act which was ordered to be registered "for the better management of customs." Constable Perrot proposed that the order in council be lodged at Greffe; but the proposition of Constable Godfray, that it be adopted and transmitted to council, was carried by a large majority.

The affair of the oyster fishery was referred to the committee of harbours, who were authorized to ask the protection of the British government.

The *projet de loi* to prevent fishing on Sundays was unanimously adopted. The *projet de loi* on pilotage was adopted, with some alterations, the most important of which was, that the eighth article, which referred any difficulty arising out of the law to five arbitrators, was expunged.

The States next adopted a proposition, formerly made by Constable Godfray, to diminish the expenses in *décrets*.

The President laid before the States a voluminous correspondence between the French and English governments on the question of the oyster fishery, in order to define the limits of the two nations. The French named certain spots in which they would concede the right of dredging, but it appeared that there were no oysters in those places, particularly St. Germain's bay. The States unanimously decided, that they could not accept the proposal of the French government, and

referred the whole matter to a committee, who were authorized to draw up an answer to the British government, and submit it to the States; so that the British government may protect the fishery in the extension of the provisional limits agreed to in 1824.

Constable Perrot proposed that the States should grant the several sums, collected from the town licences, to light the town with gas for three years, and the Rev. Mr. Dupré proposed an amendment, that the sums collected for licences in the country parishes should be applied as heretofore, to the use of those parishes, and if any surplus remained over such ordinary expenses that it be applied to purchase land in different convenient spots, whereon to deposit stones for the roads. Both the proposition and amendment were lost, and the contract for lighting the town with gas was limited to one year.

PAROCHIAL MEETINGS.—A meeting of the principal inhabitants of St. Saviour's was held, to adopt measures for ensuring the election of Mr. Hammond as constable, on the vacancy which would take place on the 27th August.

COMMITTEE OF HARBOURS.—It was decided that the Harbour Master's dues should be assessed on the following scale: All vessels or boats coming to the island are to pay as a salary to the Harbour Masters, Directors, and authorities, every boat of twenty-four tons and under, two shillings; and all vessels above twenty-four tons, one penny per ton. For anchorage and quarantine dues, all vessels or boats coming into the harbour or roads, are to pay each voyage the following sums: those in the coasting trade, four pence per ton; and those which do not come into the harbour or roads of the island more than six times a year, sixpence per ton, according to their register. The following are exempt from payment. 1st. His Majesty's vessels. 2nd. Vessels belonging to the Royal Yacht Club. 3rd. Vraicking boats, and undecked fishing boats. 4th. All vessels coming to an anchor in the roads for orders, or putting back by stress of weather, or running in for shelter, provided they neither land goods nor passengers, nor take in anything but provisions for the crew.

CHAMBER OF COMMERCE.—Some of the members proposed to purchase a set of maps for the use of the rooms, similar to those used at Lloyd's, but this matter was postponed. It was unanimously agreed that the committee of the chamber take into consideration the subject of harbour dues and harbour master's fees, and draw up a report. And further that the same committee should draw up a petition, praying the States to adopt measures for the safety and improvement of the harbour of St. Helier's. It was then proposed that steps should be taken to obtain a charter for the chamber of commerce, but this subject was deferred. The chamber committee were then authorised to have the rooms lighted with gas, and to make the necessary arrangements for the purchase of suitable chandeliers.

OFFICIAL APPOINTMENTS.—Ensign John Chevalier to be Lieutenant, St. Lawrence Battalion, 4th regiment, dated 9th July, 1836. John Le Chapelain, gentleman, to be ensign, vice Chevalier, same date.

MISCELLANEOUS.—The Dean of Jersey gave £500 to All Saints chapel, in addition to a former present of £100.—A cabbage was exhibited at the Horticultural Society, weighing 16½ lb. and measuring nearly four feet in diameter.—The celebrated Marshall Grouchy, and the famous polar navigator, Captain Sir John Ross, paid a visit to Jersey.

AUGUST.

STATES MEETINGS.—The President stated that his Excellency the Lieutenant Governor had received a communication from the Secretary of State for the Home Department, in which the proprietors of the Lady De Saumarez, steamer,

complained that the harbour dues were still too high. This matter had been referred to the committee of harbours, and their report was now read. After some discussion, in which Constable Perrot and Godfray, and Judge Nicolle took part Constable Perrot proposed that the committee take into consideration the complaint of the proprietors of the Lady de Saumarez, and report thereon. Unanimously adopted.

The States, on the proposition of Constable Godfray, named a committee to revise the regulations of the impôt.

The fine to be levied on witnesses, warned to attend, and not appearing, in criminal cases, was reduced from £10 to £5.

Ten pounds per annum were granted to the Gorey National School.

The solicitor general's new criminal law bill, as amended, was ordered to be printed.

The report of Dr. Bisset Hawkins on the state of the public prison was read. It recommended the building of a house of correction out of the insular revenue, in conformity with an order in council passed in the reign of Charles the Second, paying for the same in the years 1837 and 1838, altogether the sum of £2,000. He further recommended the appropriation of £600 per annum for the maintenance of the establishment, one half to be paid by the king's revenue, the other half by the island revenue. After a long debate, the States decided to refer the whole to the committee of the prison, who were authorised to procure all the documents which tended to prove that the governor had always kept the prisoners on part of the money collected for his revenue; and also to print 300 copies of Dr. Bisset Hawkins's report. Judge Le Couteur lodged a petition au Greffe, praying that the States would grant the sum of £25 per annum, to be given to the persons breeding the best Jersey horse or mare.

Constable Godfray proposed, that as there were bathing machines in St. Aubin's Bay, persons found bathing between the hours of seven in the morning and six in the evening, from Castle Bridge to the first tower, be condemned to pay £2. Lodged au Greffe.

Constable Godfray next lodged a proposition au Greffe, to inquire whether the sale of Guernsey lottery tickets was to be encouraged, or whether a local lottery should not be established in the island.

The report of the committee on the oyster fishery was read, and unanimously approved of by the States. The president was requested to address it to the Lieutenant Governor, in order that it might be transmitted to Lord John Russell.

ROYAL COURT.—John Le Couteur and Charles Arthur, esq. were both sworn in; the former as constable, the latter as centenier, of St. Mary's parish. They immediately made the declaration required by law.—An important case was decided declaring that persons who have been condemned by an English tribunal, are amenable before the bar of the royal court. It was the case of Tucker, attorney of Gaylor and wife, versus Opey, wife, and son, for an assault, the defendants having been sentenced by the court of Common Pleas to pay the plaintiffs £100 damages and £45 10s. expenses.—The Attorney General read an order in council, sanctioning the Act of the States of the 4th July, respecting the harbour dues to be paid by English vessels.

MISCELLANEOUS.—Sir Nicholas Conyngham Tindal, Chief Justice of the Common Pleas, and the celebrated Mrs. Fry, visited Jersey.—The races came off on the sands at Greve d'Azette.—Death of Mrs. Anthoine, accidentally poisoned, by drinking perry from a stone bottle impregnated with arsenic, but the coroner's inquest did not attach blame to any one.—The beautiful comorana of Signor Lecchi was exhibited during this month.—The Atalanta, steamer, made her first appearance in Jersey on Wednesday the 34th August.

SEPTEMBER.

STATES MEETINGS.—The President said that he had convened the States for the purpose of submitting to them the report of the committee named at their last sitting, to examine the books of the agents, and revise the law on the impôt.

Mr. Godfray attributed the deficiencies of Mr. Nicolle to the negligence of Mr. Edward Nicolle, who, one of the receivers of the impôt, and recommended that he be dismissed from office. Judge Le Couteur opposed Mr. Godfray, and moved as an amendment that a copy of the report of the committee be given to Mr. Nicolle, that he might have every fair chance of vindicating his character. This was most vehemently resisted by Mr. Godfray, but the amendment was carried 17 to 6.

ROYAL COURT.—The attorney-general asked that Messrs. P. Manger, J. Le Quesne, and P. Tugue, be sworn in as vintners for the parish of St. Helier's. Tugue took the office; Manger was absent: Advocate Godfray, for Le Quesne, said his client was absent from the island during six months in the year, and objected to serve. This plea was held bad by the attorney-general. The court decided that the parish meeting should make a second choice, and if Le Quesne was again elected, they would compel him to serve.

Francis Caillot was tried before the petty jury of St. Helier's for the murder of Mary Jane Williams, on the 30th of May last. Found more guilty than innocent. Advocate Godfray, the prisoner's counsel, demanded an appeal to the grand jury, which was granted. The grand jury, consisting of 24 members, were divided in opinion. They were called upon separately to give their sentence. Twenty were for a verdict ("more guilty than innocent;" but four wished to qualify this, by adding "whilst in a state of mental derangement." As the law of the island requires five dissentients to carry their point, the verdict of the twenty was of course received. On which the attorney-general demanded that sentence of death be pronounced. Advocate Godfray then pleaded in mitigation of punishment, that the court would recommend his client as a fit subject for the royal mercy. On this the jurors retired for a few minutes, and, on their return, the bailiff informed Mr. Godfray that the court declined to give the requested recommendation; but that Caillot would be allowed three weeks to take what steps he and his friends might think proper to petition His Majesty on the subject. The bailiff then put on his hat and passed sentence of death.

At the next sitting, Judge Le Couteur presented the list of votes in the St. Saviour's election, from which it appeared that John Hammond, esq. had obtained 68 votes, and Mr. Abraham Aubin, 76 votes. The attorney-general then requested the court to administer the customary oath to Mr. Hammond, as constable of the said parish. On this Aubin presented a remonstrance accusing his competitor of bribery and threats. The court ordered the remonstrance to be signified to Mr. Hammond, that he might reply to it.

CHAMBER OF COMMERCE.—The President stated that a proposition had been made some time since to petition the States for the improvement of the harbour, and to revise the port charges and fees, of the harbour masters. This matter had been referred to a committee, and he now handed in their report. It showed an immense increase in shipping, and thus established the necessity of a larger port. In 1831, tonnage was 10,182 tons, and in 1833 it amounted to 23,090, native ships. The external trade had increased in proportion. In 1831, 46,354 tons of English and Foreign vessels had arrived at St. Helier's; in 1833, it amounted to 101,379. This report was accepted by a large majority, and it was decided to petition the States.

The President then informed the meeting that an Act of Parliament had lately passed, of which

he read an extract, stating that the Channel Islands were permitted to import into the British possession in North America, in British ships, all goods, provisions, and articles necessary for the fisheries, excepting ardent spirits. They were indebted, for this permission to Thomas Le Breton, esq. who received a vote of thanks from the chamber of commerce, for his exertions.

MISCELLANEOUS.—The third anniversary of the Jersey Agricultural and Horticultural Society was held.—A fine brig of 130 tons was launched at St. Aubin's, from the yard of Mr. A. Du Val.—The cutter *Gulnare*, Plymouth trader, was wrecked near to St. Erelade's Bay. There were forty-one persons on board, all of whom were saved.—Sir Robert Peel landed for a few hours in Jersey, and proceeded to France.

OCTOBER.

STATES MEETINGS.—The President informed the States that he had convened them to hear the report of the committee of the prison, in answer to Lord John Russell's letter; and also the report of the committee touching the importers of Jersey corn into the mother country. He also submitted Mr. Nicolle's answer, in the affair of the impôt. The two first reports were lodged au greffe, and ordered to be printed.—In reference to the agency of the impôt, constable Perrot proposed to refer the whole of the documents, together with Mr. Nicolle's reply, to the assembly of the administrators of the impôt. Constable Godfray proposed that the States should decide, whether it was not their duty to recommend the assembly of the Governor, Bailiff and Jurats, to dismiss the present agent, Mr. Nicolle, and to ascertain the precise quantity of spirits remaining unsold in the island. A very coarse and vulgar debate ensued, and the language used by Mr. Godfray was most disgusting, both towards Judge Nicolle, the father of the gentleman inculpated, and towards Judge Le Couteur, who gave this pretended patriot a most dignified reprimand. On a division, Mr. Godfray's motion was carried by a majority of four.

The President informed the States that he had convened them to discuss, first, the *projet de loi* of the goal committee; secondly, that of the committee touching the corn question; and thirdly, to terminate the discussion of the solicitor general's criminal law bill in its amended form.

He then stated that a petition had been lodged at council by Messrs. Gould, Bisson, and Hubert, complaining of the act of the States passed on the 23rd July, 1832, by virtue of which the great drain of St. Helier's was constructed. The petitioners affirmed that the foundations of their houses were so injured, as to be untenable. The petition was referred to the drain committee, with instructions to prepare an answer.

Judge Le Quesne presented a petition from several merchants, praying for an enlargement of the harbour of St. Helier's. The States decided unanimously, on the suggestion of the solicitor general, that the subject be referred to the committee of harbours, with authority to draw up a plan.

Judge Le Quesne presented another petition from John Benest, agent for the *Atalanta* and *Ariadne* steamers, complaining that the harbour dues on those vessels were enormous. Lodged au greffe.

Judge Le Quesne then moved that the States should grant the prayer of Mr. P. C. Helgreen's petition to be naturalized, which had been lodged at the greffe in July last. This was carried with only the dissenting voice of the Rev. Mr. Dupré, who founded his opposition on the circumstance of Mr. Helgreen not having produced a certificate from a minister of the Established Church, stating that he had taken the communion according to the rites of that church.

Constable Godfray proposed that the committee

of the impôt be authorised to examine the late agent's books, and principally Mr. Whitfield's account, in order that an official statement might be placed in the hands of the attorney general. Opposed by Constable Perrot, but carried by a majority of votes.

It was then proposed to widen the road called Les Charrières, and to estimate the expense of making a road in the parishes of St. Peter's, St. Ouen, and St. Brelade, commencing at L'Eraquerel tower, and ending at the military road of La Pulante. These measures were referred to a committee.

The account of the committee for the defence of the island was approved of. From that document it appeared that the debt of the island, up to December, 1835, was £47,377. 18s. 4d.

The regulations on the corn law were referred to a committee.

ROYAL COURT.—Vautier, Osborne, De Garis, and Smith, four notorious burglars, were sentenced to be transported to such place as his Majesty in council might deem fit.—Thomas Duhamel, was sworn in as principal agent of the impôt in the place of Mr. Edward Nicolle, Jun. and Messrs. Le Geyt and Dean also took the oath as the other two agents.—David, alias Chatelier, and Chapotte, two Frenchmen, were charged by Constable Perrot with having forged certain one pound notes of the Messrs. Godfray's Bank. They were remanded to prison, and the attorney general ordered to prosecute them.—The commuted sentence on Caillot was read to him, by which he was sentenced to transportation for life, instead of suffering the penalty of death awarded by the royal court of Jersey.

MISCELLANEOUS.—Mr. Davies opened his musical circulating library.—Mr. Edward Esnouf launched a brig of 113 tons on rollers, in three hours and a half. Twenty years ago, this would have occupied two days.—Lady de Veuille was confined of a daughter.

NOVEMBER.

ROYAL COURT.—Chatelier and Chapotte were tried before the petty jury of St. Heller's for forgery. Chatelier was found guilty, and appealed to the *grande enquete*. Chapotte was acquitted.—Francis Le Sueur, Daniel Hue, and Daniel Amy, were severally condemned in the penalty of £300, by virtue of the 92nd clause of an act of parliament, dated the 16th October, 1833, they having falsified an affidavit, relative to the exportation of corn. Le Sueur having denied the charge, the case was sent to proof. The two others were condemned by default.—The attorney general actioned Mr. Edward Nicolle, ex-agent of the impôt to pay the sum of £1176. 19s. 9½d. British, being the amount of duty on wines and spirits said to be due by Mr. Whitfield. The court discharged Mr. Nicolle from all responsibility, on which the attorney general appealed to a full court.—The attorney general read letters from Lord John Russell, by which it was ordered, that the sentence of death pronounced on Caillot be commuted to transportation for life—and that Osborne, De Garis, Vautier, Smith, and Ferring, be sent to Portsmouth, and placed in charge of the superintendant of the hulks, preparatory to their transportation.—The following public officers were sworn in: Mr. Thomas Gallichan, constable of Trinity parish; Mr. Philip Duheume, constable of St. Ouen's; Mr. Thomas Payn, centenier of Grouville; and Mr. Edward Le Cornu, centenier of St. Saviour's.—The cause of Messrs. Hue and Amy was heard, and sent to proof, they being accused of fraudulently altering corn certificates.

PUBLIC MEETINGS.—About three hundred electors of St. Heller's parish held a meeting to nominate a candidate for the office of centenier, to replace Mr. Ching, whose term of service expires on the 5th of December. Constable

Perrot requested Mr. Ching to be re-elected, which that gentleman declined. He was then requested to nominate his successor, when he named Mr. Chevalier, and it was unanimously resolved to use every exertion to ensure his return.

MISCELLANEOUS.—The lieutenant bailiff De Carteret resigned office, on the plea of ill health.—The cutter Echo was wrecked near the Corbière; crew saved.—Died at the age of 84, the Abbé Le Guedois, officiating minister of the French Roman Catholic chapel, in Jersey. He was the only remaining ecclesiastic of all those who had emigrated from France after the revolution of 1789. He arrived in Jersey in 1792.

DECEMBER.

STATES MEETINGS.—The solicitor-general read a letter from Lord John Russell, addressed to the States, on the subject of the prison. His lordship acceded to the wishes of the States, as to the payment of half the expenses for building a house of correction, and maintaining prisoners in gaol: but he objected to the governor's contributing a farthing for the salary of the public executioner, or for the transportation of felons from the island. His lordship also stated, that in the formation of a committee, the States should appoint three members, and the Government four.

The constable of St. Heller's proposed that this letter be lodged at the Greffe. Judge Bertram moved that it be immediately taken into consideration. A long debate ensued, after which it was resolved, by a great majority, that the States ought to appoint four members on the committee, or as many as the Government might nominate: and it was also decided, by a great majority, that the States would neither pay the wages of the public executioner, nor the expenses incurred in the transportation of prisoners from Jersey to England.

Constable Godfray then complained of the frequent absence of the Jurats from their judicial duties, and observed that Judges Benest and D'Auvergne had declared that they would never again attend the States or the court: he further remarked, that Judge De Carteret had tacitly announced the same determination, by having resigned the office of lieutenant-bailiff, on account of age and infirmity. He, therefore, proposed that his Majesty be petitioned to allow them to retire from the bench, if that was really their wish. The solicitor-general supported Mr. Godfray, declaring that the difficulty of procuring a full court was so great, that no more than two appeal cases had been heard during this term. It was opposed, as paying a bad compliment to the three magistrates; on which Mr. Godfray proposed that the president be authorized to write to them, to ascertain their real sentiments, and this was ultimately carried by a majority of fourteen to eleven. The meeting was then postponed till the following Monday, when the answer of the gaol committee to Lord John Russell's letter was read, and being approved of, the clerk of the court was ordered to transmit it to Lord Beresford, the governor of Jersey.

The next question discussed, related to the butcher's stalls, on which Constable Le Couteur moved that the stalls be let out for five instead of three years, which was carried by 16 to 10. But the old butchers' stalls and slaughter houses were excepted.—December 19th. The butchers were ordered in future to kill their cattle in the new slaughter house on the quays. The French traders are hereafter to sell their provisions in the new cattle market, and cattle in the old fair. A petition signed by the inhabitants of Trinity, St. Martin's, and Grouville parishes, praying that the new oyster beds, formed off Grouville bay, be allowed to be dredged; and that the law now prohibiting vessels from anchoring on those beds be repealed, was lodged at the Greffe.—A report of

the committee on lotteries recommending the States to allow lotteries in Jersey, so long as they were permitted in Guernsey, was agreed to.

ROYAL COURT.—The attorney general entered as action in judgment against Mr. Edward Nicolle, ex-agent of the impôt, and Mr. P.W. Nicolle, his security, to pay £1,176 19s. 9d. the amount of the defalcation of George Whitfield. The jurats were balanced, on which the bailiff demanded a few days to consider how he should give his casting vote; he ultimately cast the defendant, with permission to appeal to council.—Mr. Peter Le Sueur was admitted an advocate of the Jersey bar.

CHAMBER OF COMMERCE.—The accounts of the year were audited, and found correct. Resolved that Lloyd's register of British and foreign shipping, and two additional English newspapers be subscribed for. Resolved, that the members dine together annually.—Complaints were made of the tardy delivery of the newspapers, when it was resolved to have an amicable conference with the

post master.—Resolved, that the rules of the society be submitted to the committee for revision.

ECCLESIASTICAL COURT.—Mr. Mauger had been chosen clerk of St. Heller's by a large majority, but as the dean and clergy did not feel sure that he held the same religious tenets as themselves, they appointed the defeated candidate, Mr. Le Brun. He, being too ill to discharge the duties of the office, appointed a deputy. Against these two acts, a protest was lodged; but the court confirmed the nomination of Le Brun, ordering him to appear personally, or by deputy, next April. They then proceeded to suspend the Rev. Mr. Durell, rector of St. Saviour's, without trial, or hearing evidence, an act of tyranny worthy of the Star Chamber.

MISCELLANEOUS.—During the year 1836, 909 vessels left Jersey, measuring 61,069 tons; and 1,347 vessels arrived in the island, with cargoes measuring 89,565 tons.

ON THE DEATH OF ADMIRAL LORD DE SAUMAREZ.

Pallida mors sequo pulsat pede pauperum tabernas,
Regumque turres HOR.

Καὶ τυμβος, καὶ παῖδες ἐν ἀνθρωποῖς ἀρίσθημοι
Καὶ παίδων παῖδες, καὶ γένος ἐξοπίσω.
Οὐδέ ποτε κλειὸς εσθλὸν ἀπολλύται, οὐδ' ὀνομ' αὐτοῦ,
'Ἄλλ', ὑπὸ γῆς περ ἔων, γιγνεται ἀθανάτος—
TYRTÆUS.

I.

THE blow of death is terrible where'er its force may fall,
On the inmate of the lowly hut or of the princely hall;
Whether the clown's dull lamp of life at its chill touch expire,
Or from the breast of Genius depart the living fire.

II.

Death acts the same sad tragedy wherever he appears,—
Beholds with tyrant recklessness the rending scene of tears,—
Then, dropping o'er his victim's form the harrowing sable veil,
A ghastly smile of withering pow'r o'erspreads his visage pale.

III.

And thus he stalks from stage to stage, mortality his food;
His drink, the widow'd mourner's tears blent with the warrior's blood;
His melody, the orphan's plaint and life's last piercing shriek;
His dearest sight, the pallid hue of beauty's lifeless cheek.

IV.

But never doth the arm of death inflict so dire a blow
As when it lays the truly great, the truly noble, low,
And, striking some transcendent mind from out the god-like race,
Leaves earth as dark as if no orb illumed the realms of space.—

V.

—Britannia bends with tearful eye beside a hero's tomb;
The hero's lovely native Isle is wrapp'd in mournful gloom;
The voice of sad regret is heard on many a distant shore,—
Sweet Sarnia's pride, old England's boast—DE SAUMAREZ is no more!

VI.

Meek Charity's soft bosom bleeds, and Piety laments,
The orphan'd breast of poverty in sighs its sorrow vents;
A tear for her best champion starts from Freedom's eye of light,
The saddened Muse's wing in vain essays its skyward flight.

VII.

Whilst free Britannia's conquering fleets her billowy empire ride,
Whilst Sarnia's tow'ring cliffs defy the foaming ocean-tide,
With Nelson, Howe, and Vincent's names DE SAUMAREZ' shall be wreathed—
A glorious and triumphant three, whose betters never breathed!

VIII.

By all beloved, by all revered, by poor and wealthy bless'd,
Of royal favor, titles, wealth, and high renown possess'd;
Yet more than mortal fame or pow'r his noble heart desired—
To heavenly honors, holy gifts, it ardently aspired.

IX.

The Christian's highest, dearest aim he gloriously attained,
And 'midst his earthly victories a heavenly conquest gained:
The hero's laurel-wreath must fade like every earthly prize,
But Piety's perennial bays will flourish in the skies.

X.

Fell pride, the deadly foe of man, his noble nature spurned,
From pale distress and shivering Want his heart was never turned;
His household gods were Charity, Compassion, Peace, and Love,
And o'er his heart Religion poured her bright hopes from above.

XI.

If ever man earned Heaven on earth, *his* soul is with the bless'd,—
If in the human countenance God's semblance is express'd,—
DE SAUMAREZ', generous, noble soul, reflected in his eye,
Displayed the image of the God that rules the earth and sky.

XII.

Then mourn not, Sarnia, for thy son, the great, the glorious chief;
Fair ocean-queen Britannia, rise, dry up thy gush of grief!—
As other climes behold the sun whilst ours is veiled in night,
So Heaven receives the good man's soul when hence it wings its flight.

XIII.

Till all-consuming Time engulph bright History's latest page,—
Till in their course both Time and Death attain their final stage,—
DE SAUMAREZ' glorious deeds shall dwell upon the lips of Fame,
And Virtue an incentive feel in his immortal name!

J. D. PIERCEY.

SARNIAN MELODIES.

No. 8. — "I WISH IT WERE MY LOT TO BE."

I wish it were my lot to be
The tenant of yon lonely isle,
With the wild ocean's melody
My dreaming fancies to beguile.
For 'twere a joy most dear to me
To watch that ocean's ebb and flow,
That shows so well, so faithfully,
The constant change of all below.
The dashing wave—the sea-bird's scream—
The tall cliff beetling o'er the main—
Should be the subjects of my theme,—
Should be the hearers of my strain.—
The rustling winds might sweep the heath,
And bathe its purple alopes in spray,
Until, at length, their pitying breath
Should kindly waft my own away.
For dreary thoughts of awful truth,
The shuddering mind may not disown,
Oft flash across the mind of youth,
E'en though scarce yet to manhood grown.
Oh! young, indeed the heart must be
That has not known their withering call—
That has not felt the misery,
And proved the nothingness of all.

P.

THE
GUERNSEY & JERSEY MAGAZINE.

FEBRUARY, 1837.

SKETCH OF RELIGIOUS PERSECUTIONS IN FRANCE.

THE reformed opinions were introduced into France by Calvin, during the reign of Francis the First, to whom he dedicated his work entitled "Christian Institutions." His doctrines were opposed by severe edicts, but these are to be rather attributed to the intolerance of the age, than the zeal or piety of the monarch. The character of Francis was widely different from that of his illustrious competitor Charles the Fifth. The latter resisted the reformation, because he felt a sincere attachment to the old system ; but the king of France was a man of gallantry, and the natural liveliness of his temper induced him rather to indulge in the gaieties of the court, than enter into any tedious discussions on the dry and perplexing points of religious controversy. In the reign of his successor, Henry the Second, the religious wars commenced in France, and continued till the capture of Rochelle by the famous Cardinal Richelieu, in the reign of Louis the Thirteenth. During this period of anarchy, which lasted seventy years, the history of France exhibits a scene of murder, war, cruelty, and fanaticism, from which humanity recoils with horror. In 1550, the edict of Ecouen was promulgated, which sentenced all heretics to death ; and be it observed, the guilt or innocence of the accused depended on Catholic judges. On the accession of Francis the Second, who had married the celebrated and unfortunate Mary Stuart, niece of the Prince of Lorraine, the whole power of the state was confined to the house of Guise, whose bigotry and ambition produced the most deplorable calamities. It so happened that the Prince of Condé, whose birth and talents gave him the most just pretensions to an effective share in the administration, was a Hugonot ; it was easy, therefore, or the cardinal and his brother to crush their rival, by accusing him of an intention to subvert the established religion. In this design, they

met with complete success, and the prince, in order to revenge himself, and procure toleration to the Calvinists, put himself at the head of the famous conspiracy of Amboise. This plot was revealed to the Guises by an accomplice; twelve hundred victims were immolated: the prince was arrested, and would have fallen a victim to the vengeance of the cardinal and his brother, had not the sudden death of Francis arrested their tyrannical career.

Charles the Ninth succeeded his brother at the early age of ten, and the queen mother, Catherine of Medicis, who had borne with indignation and impatience the yoke of the Princes of Lorraine, determined to curb their insolence, and abridge their authority. "*Divide et impera*" was her motto, and she hoped, by making concessions to the Protestant leaders, to secure her own power by holding the balance between the contending parties. The dreadful consequences which resulted from this Machiavelian policy, proved the fallacy of her expectations. The French historians enumerate four distinct civil wars during this reign. The Duke of Guise was assassinated by Poltrot; the Prince of Condé was slain in the battle of Jarnac; and the famous De Coligny, and many other of the principal leaders of the Protestants, were slaughtered in the horrible massacre of St. Bartholomew.* It is a fact too well attested by history, that Charles himself, from a window of the Louvre, fired muskets on his subjects, which were handed up to him ready loaded by his attendants.† These enormities were perpetrated for the glory of God: they were justified on the plea that it was criminal to keep faith with heretics, and the event was so joyfully welcomed at Rome and Madrid, that public festivities were ordered to celebrate the bloody sacrifice. The parliament of Paris ordered an annual procession to commemorate the deliverance of religion from the machinations of its enemies, and a medal was struck, bearing this inscription, "Piety arms justice."

The reign of Henry the Third is remarkable for the consolidation of that armed confederacy which, under the impious title of the "Holy League," was made the instrument of promoting the ambitious schemes of the house of Lorraine. Pope Sixtus the Fifth issued a bull against the Hugonots; in which, after having declared that kings and princes were all subject to the decrees of the Vatican, he absolved the French from their allegiance to their lawful monarch, and anathematized the king of Navarre, afterwards Henry the Fourth, as a blasphemer, a heretic, an infidel, an enemy of God, and a reviler of the only true

* Millot estimates the number of persons murdered in Paris and the provinces, at 60,000; other writers at 100,000. *Hist. Moderne*, vol. ii, p. 450.

† Vide Voltaire *Henriade*:—

Que dis-je, ô crime, ô honte, ô comble de nos maux,
Le roi, le roi lui-même au milieu des bourreaux, &c.

faith : that is to say, of the faith which Sixtus found most conducive to his own interest. The doctors of the Sorbonne imitated the example of their spiritual leader, and declared that it was lawful to deprive an incapable prince of the throne. Thus strengthened, the leaguers became ungovernably insolent ; they convened an assembly at Nancy, and then drew up a memorial, which was presented to the king, in which he was enjoined to banish from the court all persons suspected of heresy : to enforce the decisions of the council of Trent : to establish the inquisition in the principal towns of the kingdom : to surrender all the fortified cities to the League, and to pay the arrears due to the troops. Even these insolent demands were not sufficient to tranquillize the fears of bigotry, or gratify ecclesiastical ambition. By the death of the Duke of Anjou, Henry the Fourth became presumptive heir to the crown, and as his religious opinions inclined to toleration, and his talents and courage rendered him capable of restraining the turbulence of the Duke of Guise, the leaguers determined to exclude him from the succession. An edict was extorted from the king at Rouen, which, among other articles, incapacitated all but Catholics from holding any of the great offices of state. By this decree the King of Navarre was indirectly declared incapable of inheriting the throne.

Though the king was of a weak and imbecile temper, he was at length roused to the highest indignation, by the triumphant and increasing popularity of the Duke of Guise. But as he despaired to bring him to condign punishment by judicial proceedings, he resolved to follow the example of his predecessors, and gratify his resentment at the expense of his honour and his virtue. With his own hand he presented the dagger to the assassin, and caused the duke to be murdered in the royal apartments.

When the news of this bloody catastrophe reached Paris, the Catholics, with one voice, demanded vengeance on the sovereign. The Duke of Mayenne, brother to the Duke of Guise, was appointed chief of the league. To oppose this confederacy, Henry reconciled himself with the King of Navarre, and their united forces besieged the capital. Here there occurred another of those atrocious deeds which superstition, inflamed by ecclesiastical fury, has so frequently perpetrated. Jacques Clement, a dominican friar, whose imagination had been worked upon by the fanatical preachers of the time, fancied that he was an instrument in the hands of Heaven, destined to rescue his country from the impending dangers of heresy. The prior of his convent applauded his resolution : the enthusiast repaired to St. Cloud, obtained an audience of the king, and immolated on the shrine of bigotry the last miserable descendant of the miserable house of Valois.

Henry of Navarre, immortalized in the annals of France by the name

of "Henri Quatre," succeeded to the throne. The command of the royal forces devolved upon him, but his heretical opinions occasioned numerous desertions, as well among the nobility as among the private soldiers. Henry was compelled to raise the siege of Paris, and retired towards Dieppe. Mayenne pursued him: the triumph of the Catholics appeared certain; but the good fortune or genius of Henry prevailed, and the victory of Arques, immediately followed by a reinforcement of four thousand English, despatched by Elizabeth, enabled the king to march again to the capital. The battle of Ivry, gained by the royal forces, completely destroyed the hopes of the leaguers, who, forgetful of national honour, solicited the aid of Philip the Second, King of Spain; who, either from bigotry, or from the expectation of perpetuating the civil war, and rendering the exhausted country an easier conquest, despatched the famous Farnese, Prince of Parma, by whose assistance the siege of Paris was raised. Though the Parisians had suffered all the horrors of famine, the influence of the priests was so complete, that, on the departure of the Spanish troops, Henry found it impossible to prevail on his fanatical subjects to accept a Hugonot king. He accordingly renounced heresy, and at the church of St. Dennis embraced Catholicism, and received the crown.

Henry had scarcely assumed the government, when his life was attempted by Jean Chatel, the son of a Parisian tradesman. Fortunately, the king sustained no further injury than an incision in the upper lip, and the loss of a tooth. The examination of this fanatic proved the dangerous power of the clergy, and particularly of the Jesuits. From the facts elicited, it appeared that the holy fathers had introduced Chatel into an apartment, called the chamber of meditation; the walls of which, by the aid of chemical preparation, were covered with the most terrifying representations of the infernal regions. When his fears of eternal punishment were excited to the utmost, he was told, that the surest method of averting the divine anger was the extirpation of heresy, and exhorted to render himself acceptable to his Maker by imbruing his hands in the blood of his sovereign. In consequence of this disclosure, the Jesuits were banished the kingdom; the parliament, in its decree, calling them "the corruptors of youth, the disturbers of public tranquillity, and enemies of the king and the state.*"

The most remarkable event which happened in the reign of Henry the Fourth, was the protection afforded to the Protestants by the celebrated edict of Nantz. This charter of toleration was drawn up by four of the ablest men in France:—Stromberg, De Thou, the historian, Jeannin, and Calignon, who were occupied two years in framing its articles. The speech which the king delivered to the parliament on this

* Anquetil Hist. de France, vol. vi, p. 255. They were restored A. D. 1603.

occasion deserves to be recorded and studied for its good sense and conciliating spirit. He commenced by stating his anxiety to put an end to domestic factions, and to disseminate peace and fraternal feeling throughout the empire. "Let us," said Henry, in the true spirit of a Christian, "let us destroy the invidious distinctions of Catholic and Hugonot; let us all unite to promote the glory and happiness of France; and, like the members of one great family, vie with each other in acts of virtue and philanthropy. Conscious of the frailty of our nature, let us practise universal toleration, and let the Catholics, renouncing the cruel aid of persecution, endeavour to convert the Protestants by the purity of their morals, and the integrity of their lives."* By the edict of Nantes, the Protestants enjoyed the public exercise of their worship in specified places, but they were bound to obey the jurisdiction of the court of Rome, to abstain from labour on festivals, and to pay tithes. It was also enacted, that the poor and sick should be permitted to enter the hospitals on the same terms as the Catholics; that the Hugonots should be eligible to all the employments of state; and that, in the parliaments, the chamber of justice should be composed of an equal number of judges of the two persuasions. Several towns were given up to the Protestants, as places of security, which they were allowed to retain for eight years.

Had Henry attained to an advanced period of life, the excellence of his heart, and the lively interest he took in the public welfare, would have raised France to the height of prosperity. Unlike the herd of kings who have disgraced humanity, Henry did not forget in his palace those devoted friends who had supported him in adversity. When firmly seated on the throne, he did not violate the promises he had made to the Protestant soldiers, who had secured to him his birthright; he did not pretend "that the convenient time was not arrived;" but, with a virtuous magnanimity, which his descendants are fonder of praising than imitating, preserved his honor, his word, and his gratitude, even at the expense of his life. It is scarcely necessary to add, that the best of princes fell by the hand of Ravallac, and thus added one more victim to the infuriated vengeance of orthodoxy.

In 1614, four years after the assassination of Henry, a meeting of the states general was convened, and the debate which followed abundantly proved that the spirit of bigotry had regained its power. It was proposed by the "*tiers état*," that a resolution should be entered into, declaring that no spiritual or temporal power had a right of altering the succession to the crown, or absolving the subject from the oath of allegiance. This was rejected by the clergy, as an audacious and blasphemous innovation. In 1629, Richelieu captured Rochelle, and

* The speech of the king is given at length in Anquetil, vol. vi, p. 174.

thus destroyed all the benefits which would have resulted, had the tolerating policy of Henry the Fourth been steadily pursued.

As the succeeding reign of Louis the Fourteenth is considered as the golden age of French history, it will be desirable, before noticing the ecclesiastical errors of his government, to point out the causes which conduced to the ascendancy which the house of Bourbon at that time acquired over the rival house of Austria. The famous thirty years war in Germany, and the unsuccessful efforts of Spain to conquer the revolted provinces of Holland, had completely exhausted the resources of that mighty empire, which, under Charles the Fifth, threatened the liberties of the world. Gustavus, King of Sweden, who was the head of the Protestant cause, had subdued the power of Austria, and the politic Richelieu availed himself of the talents and courage of the heretical monarch to destroy the rival of his country. In this he perfectly succeeded: the scale of Austria fell, and that of France rose; and the balance of power in Europe was changed, merely because Spain and the empire determined to resist, by force, the liberty of private judgment in matters of religious opinion.

The age of Louis the Fourteenth abounded in illustrious men: statesmen, generals, orators, and poets, adorned and improved this boasted era. But the personal character of the king, though in many respects worthy of admiration, inclined to bigotry; and the intolerance of his advisers induced him to sacrifice to superstition all those advantages which a liberal government would have obtained. The acceptance of the bull *Unigenitus*; the condemnation of the doctrines of Jansenius; the destruction of Port Royal; the scruples which Louis entertained to levy a tax on the nobles and clergy, to save his impoverished subjects from famine; his implicit and disgraceful submission to La Chaise and Le Tellier:—are sufficient proofs of his weak and bigoted mind. But the act of his reign, which produced the most deplorable consequences to the finances and the industry of France, was the revocation of the edict of Nantz, by which impolitic and cruel decision, he committed the very same error that Philip had done, in banishing the Morescoes from Spain, and annihilated the manufactures of his country to gratify the caprice of the established church. And here it may be observed, that, both in France and Spain, the most ingenious, active, and industrious of the nation, were found in that class who, instead of wrapping up their talents in napkins, exercised their mental faculties, and, by habits of meditation, enlightened their understandings. They thus acquired habits of thinking, and the spirit of inquiry, once awakened, was not suffered to lie dormant, but incited them to push their researches into every department, and thus facilitated invention and improvements in trade and machinery. When Philip established

the inquisition in the Netherlands, vast numbers of people repaired to England, and brought with them their industry and their knowledge. So also it happened at the revocation of the edict of Nantz, the French refugees sought protection in this country, and still further extended the commercial and manufacturing skill of Britain.

"The people whom Louis thus violently forced out of his kingdom were, generally, throughout all France, the best merchants, manufacturers, and artificers of that kingdom. There are various accounts of the total number of them : those who reckoned up all who retired from France some time before, as well as immediately upon, and also some years after that revocation, got so high as one million of men, women, and children. This possibly may be an exaggerated calculation. Others, as the supposed illustrious and royal author of the memoirs of Brandenburg, reckoning only those who withdrew immediately on the said revocation, make their number somewhat more than three hundred thousand persons, carrying with them their industry and their skill in manufacture to those places of refuge. Those who had most money retired into England and Holland, but the most industrious part of them settled in Brandenburg: whither they brought all sorts of manufactures which were wanted, by erecting fabrics of cloth, serges, stuffs, druggets, crapes, caps, stockings, hats; and also the dying of all sorts of colours. They were in number about twenty thousand, at first, but they soon multiplied, and made ample returns to their generous benefactor, the elector Frederic William. Berlin now had goldsmiths, jewellers, watchmakers, carvers; and such as were settled in the open country, planted tobacco and a variety of fruits and pulse. That great elector allowed the refugees an annual pension of forty thousand crowns. Others make the total number of refugees amount to eight hundred thousand. A part of the suburbs of London, says Voltaire, meaning Spitalfields, was peopled entirely with French manufacturers in silk. For other arts, some thousands of them helped to people the suburbs of Soho and St. Giles's. Others of them carried to England the art of making chrystal to perfection, which for that same reason, was about this time lost in France."*

From the revocation of the edict of Nantz, Prussia rapidly advanced in power; and, from being a small section of the Germanic empire, rose to such importance, as to contest the palm of superiority with the house of Hapsburgh itself. The judicious reader will readily acknowledge that the arts and industry of the persecuted French Protestants contributed, in a high degree, to this extraordinary elevation; and this may afford an instructive lesson to those intolerant statesmen, who persist in withholding the rights and blessings of constitutional liberty from seven

* Anderson. *Hist. of Commerce*, vol. li, p. 568.

millions of their countrymen, because they differ from them in religious opinion.

The remainder of the history of France, from the regency of the Duke of Orleans to the revolution, though it is not disfigured by any of those general persecutions* which occurred at an earlier period, presents abundant proof of the evils which result from the union of kingcraft and priestcraft. The privileges enjoyed by the clergy under the old regime were in their nature so essentially aristocratic, that instead of being the protectors of the poor, they identified themselves with the nobility, and thus the lower orders groaned under the triple scourge of a heathen sovereign, a profligate aristocracy, and an avaricious church. The best apology for the French Revolution, is the history of the reign of Louis the Fifteenth.

* About the middle of the last century, during the administration of the Duke of Choiseul, two of the most deplorable instances of superstitious intolerance occurred. We allude to the melancholy fate of Calas, and the horrible punishment of La Barre. Anthony Calas was a protestant merchant of Toulouse, and was accused of the murder of his own son, who was discovered hanging in the house of his unfortunate parent. This young man had betrayed evident signs of lunacy, and, in a moment of mental depression, had committed suicide. But the clergy of Toulouse satisfied the judges that an old man of sixty years of age had forcibly suspended a strong and active youth; and the argument employed to produce this conviction was neither more nor less than the fact of the family being Protestant. Old Calas was broken on a wheel, and his wife and children stripped of their property and banished.

The punishment of La Barre was, if it be possible, still more atrocious. A wooden crucifix, placed on the bridge of Abbéville, was broken during the night: the inhabitants of the town were apprehensive of the vengeance of Heaven, unless the perpetrators of this sacrilege were discovered, and brought to punishment. The bishop ordered acts of expiation to be performed, and every exertion was made to detect the criminal. Suspicion attached to two young officers, the chevaliers La Barre and D'Etallonde, who were distinguished for the laxity of their morals, and the unguarded freedom of their language. They were accused of having in their collection of books, the Odes of Piron, and the Philosophical Dictionary of Voltaire. This was quite sufficient evidence of their having broken the crucifix. D'Etallonde escaped, but La Barre was condemned by the parliament of Paris. This youth was under the age of seventeen: no proof of the fact was adduced, for the words of the decree of the parliament are, "*véritablement soupçonné d'avoir brisé le crucifix.*" The sentence was worthy of the church. His right hand was amputated; he was then stretched on the rack, and afterwards decapitated. Such was the proceeding in the court of Louis the Fifteenth, in which there was neither liberty of speech, liberty of press, or a representative assembly. And yet there are people who consider that the revolution was not called for by any urgent reasons.

The humane and liberal reader will be gratified at being told, that D'Etallonde escaped to Prussia, where he was cordially received by the tolerant Frederic, who gave him a commission in his army.

STANZAS ON THE RHINE.

THE following Stanzas were written at intervals, during my ramblings among the Rhine scenery, and on my frequent trips up and down the Rhine. Where the asterisks are inserted, passages have been omitted, some from a total want of interest, and others from being now illegible, in consequence of their having been most carelessly noted down with a pencil only, amongst the scenes which suggested them. It will perhaps be necessary to add, that they were never intended to form a connected and successive description; they are, in short, merely desultory memoranda of the author's passing reflections on the imposing and interesting objects, which present themselves in enchanting variation to every one who visits the Rhine. The reader will doubtless regret that the illegible passages were not of more frequent recurrence.

Hail, Prince of Streams! hail, noble Rhine!
My bark glides o'er thy breast again;
'Midst hills where smiles the clustering vine—
'Midst fruits and flowers which deck the plain.
The mouldering towers, perched on the head
Of yon vast rocks, are dimly seen,
Reminding still of times now fled
When knighthood's bravest graced the scene.

Hail, Prince of Streams! hail, noble Rhine!
Then often, o'er yon castled peak,
Would beauty's form at eve incline
With sparkling eye and glowing cheek;
And cast a glance of anxious love
Far o'er thy broad expanse of blue,
Till on thy breast would lightly move
The bark which bore her lover true.

Hail, Prince of Streams! hail, noble Rhine!
Where yonder convent's ruins stand,
Would ladye for the knight repine
Whose grave was in the Holy Land.
Then from the now mute choir arose,
'Midst organ peals, the holy song
Whose startling burst and soothing close
Re-echoed† far thy rocks among.

Hail, Prince of Streams! hail, noble Rhine!
The loud halloo, in days of yore,
Resounded through yon wood of pine,
Whilst knights and squires pursued the boar:
Then in yon castle's crumbling walls
The huntsmen met in revelry,
And sweetly through the banquet-halls
Sounded the strains of minstrelsy.

Hail, Prince of Streams! hail, noble Rhine!
O'er yonder vine-decked hills then moved
The Christian bands to Palestine,
Followed by sighs from hearts that loved:
And sacred banners waved in air,
The Palmer's cross was raised on high,
And o'er thy breast the breeze did bear
The holy song and parting sigh.

Hail, Prince of Streams! hail, noble Rhine!
Methinks I hear from yonder height
The warder sound the wonted sign,
Which tells a pilgrim meets his sight:—
And in the hall the pilgrim tells
Of deeds achieved by valiant knights,
And high the ladye's bosom swells
When Rudolph's name her ear delights.

† There are several parts of the Rhine where the slightest sound of a horn will produce an echo almost deafening, passing with increasing but distinct reverberations from rock to rock, to an almost incredible distance. A small creek or basin of the Rhine, which is formed by the jutting out of two immense rocks near St. Goar, appeared to me to be the most remarkable for the loudly-pealing echo, which follows even the most subdued notes of the horn.

Ha! now I see the pilgrim kneel—
 His holy garb he throws aside—
 And stands arrayed in glittering steel,—
 Her Rudolph he, and she his bride!
 Now with her from the hall he steals,
 And blends his tale of love and war,
 Till thy unruffled tide reveals
 The image of sweet evening's star.

Hail, Prince of Streams! hail, noble Rhine!
 Lo! hall, and court, and battlement,
 With sun-lit helms and lances shine,
 For now begins the tournament:—
 The war-trained charger spurns the sand;
 Shivers a lance—mailed-coats resound;—
 Cleft is a helm—and lamed a hand,—
 A vanquished knight bleeds on the ground!

Now to his love the victor speeds,
 From her receives the golden prize;
 But far more than the prize he heeds
 The glance that meets him from her eyes.

* * * * *

Hark! marriage-bells now blithely ring
 While barges o'er the river glide,
 For to his Burg† the knight doth bring
 His dearly-loved and loving bride.

Hail, Prince of Streams! hail, noble Rhine!
 Though ladies fair, and knights and squires,
 Yon ruined halls no longer line,
 Though hushed the ancient minstrel-lyres—
 Yet are thy halls as welcome now,
 Thy dames as fair, thy sons as brave,
 Thy minstrels' lays more sweetly flow—
 The same fair banks thy waters lave.

* * * * *

J. D. PIERCEY.

CUPID AND HYMEN.

As the little amorous deity was one day winging his flight over a village in Arcadia, he was drawn by the sweet sound of the pipe and tabor, to descend and see what was the matter. The gods themselves are sometimes ravished with the simplicity of mortals. The groves of Arcadia were once the country seats of the celestials, where they relaxed from the business of the skies, and partook of the diversions of the villagers. Cupid, being descended, was charmed with the lovely appearance of the place. Every thing he saw had an air of pleasantness. Every shepherd was in his holiday dress, and every shepherdess was decorated with a profusion of flowers. The sound of labour was not heard among them. The little cottages had a peaceable look, and were almost hidden with arbours of jessamine and myrtles. The way to the temple was strewn with flowers, and enclosed with a number of garlands, and green arches. "Surely," quoth Cupid, "here is a festival to-day. I'll hasten and inquire into the matter."

So saying, he concealed his bow and quiver, and took a turn through the village. As he approached a building distinguished from all the rest

† Castle.

by the elegance of its appearance, he heard a sweet confusion of voices mingled with instruments of music. "What is the matter," said Cupid to a swain who was sitting under a sycamore by the way side, and humming a very melancholy tune, "why are you not at the feast, and why are you so sad?" "I sit here," answered the swain, "to see a sight, and a sad sight it will be." "What is it," said Cupid, "tell me, for perhaps I can help you." "I was once happier than a king," replied the swain, "and was envied by all the shepherds in the place, but now every thing is dark and gloomy, because"—"Because what?" said Cupid. "Because I am robbed of my Ruralinda; Gothic, the lord of the manor, has stolen her from me, and this is to be the nuptial day." "A wedding," quoth Cupid, "and I know nothing about it; you must be mistaken, shepherd, for I keep a register of marriages, and no such thing has come to my knowledge; 'tis no wedding, I assure you, if I am not consulted about it." "The lord of the manor," continued the shepherd, "consulted nobody but Ruralinda's mother, and she longed to see her daughter the lady of the manor. He has spent a deal of money to make all this appearance, for money will do any thing; I only wait here to see her pass by, and then farewell to the hills and dales." Cupid bade him not be rash, and then left him. "This is another of Hymen's tricks," quoth Cupid to himself; "he has frequently served me thus, but I'll hasten to him, and have an explanation." So saying, he repaired to the mansion. Every thing had an air rather of grandeur than of joy, sumptuous but not serene. The company were preparing to walk in procession to the temple. The lord of the manor looked like the father of the village, and the business he was upon gave a foolish awkwardness to his age and dignity. Ruralinda smiled, because she *would* smile, but in that smile was sorrow. Hymen, with a torch faintly burning on one side only, stood ready to accompany them. The gods when they please can converse in silence, and in that language Cupid addressed Hymen.

"Know Hymen," said he, "that I am your master. Indulgent Jove gave you to me as a clerk, not as a rival, much less as a superior. 'Tis my province to form the union, and yours to witness it. But of late, you have treacherously assumed to set up for yourself. 'Tis true you may chain couples together like criminals, but you cannot yoke them like lovers; besides, you are such a dull fellow when I am not with you, that you poison the felicities of life. You have not a grace but what is borrowed from me. As well may the moon attempt to enlighten the earth without the sun, as you to bestow happiness when I am absent. At best, you are but a temporal and temporary god, whom Jove has appointed not to bestow, but to secure happiness, and restrain the infidelity of mankind. But assure yourself that I will complain to the synod."

"This is very high indeed," replied Hymen, "to be called to account by such a boy of a god as you are. You are not of such importance in the world as your vanity thinks; for my own part, I have enlisted myself with another master, and can do very well without you. Plutus* and I are greater than Cupid; you may complain and welcome, for Jove himself descended in a golden shower, and conquered; and, by the same power, the lord of the manor has won a damsel in spite of all the arrows in your quiver."

Cupid, incensed at this reply, resolved to support his authority, and

* God of Riches.

expose the folly of Hymen's pretensions to independence. As the quarrel was carried on in silence, the company were not interrupted by it. The procession began to set forward to the temple, where the ceremony was to be performed. The lord of the manor led the beautiful Ruralinda like a lamb devoted to sacrifice. Cupid immediately dispatched a petition for assistance to his mother on one of the sunbeams, and the same messenger, returning in an instant, informed him that whatever he wished should be done. He immediately cast the old Lord and Ruralinda into one of the most extraordinary sleeps ever known. They continued walking in the procession, talking to each other, and observing every ceremony with as much order as if they had been awake; their souls had in a manner crept from their bodies, as snakes creep from their skin, and leave the perfect appearance of themselves behind. And so rapidly does imagination change the landscape of life, that in the same space of time which passed over, while they were walking to the temple, they both ran through, in a strange variety of dreams, seven years of wretched matrimony. In this imaginary time, Gothic experienced all the mortification which age wedded to youth must expect; and Ruralinda all the infelicity which such a sale and sacrifice of her person justly deserved.

In this state of reciprocal discontent, they arrived at the temple: Cupid still continued them in their slumber, and in order to expose the consequences of such marriages, he wrought so magically on the imaginations of them both, that he drove Gothic distracted at the supposed infidelity of his wife, and her mad with joy at the supposed death of her husband; and just as the ceremony was about to be performed, each of them broke out into such passionate soliloquies, as threw the whole company into confusion. He exclaiming,—she rejoicing; he imploring death to relieve him,—she preparing to bury him. “Gold,” quoth Ruralinda, “may be bought too dear, but the grave has befriended me.” The company believing them both to be mad, conveyed them away, Gothic to his mansion, and Ruralinda to her cottage. The next day they awoke, and being grown wise, they mutually declined proceeding any further. The old lord continued as he was, and generously bestowed a handsome dowry on Ruralinda, who was soon after wedded to the young shepherd, who had so piteously bewailed her loss. The authority of Cupid was re-established, and Hymen ordered never more to appear in the village, unless Cupid introduced him.

THOUGHTS ON GARDENING.—No. 2.

MOSES tells us, in his account of the creation, that *plants have their seeds in themselves*; that is to say, every plant contains in itself male and female flowers. The text of the inspired writer is fully explained by horticultural discoveries, and it leads us to conclude that plants, wanting locomotion, require this union of sexes in themselves, by which means they may generate without the neighbourhood of other plants. They are in this respect like muscles, or other immoveable shell-fish, which are hermaphrodites of this kind, having their propagation, without the help of one of the same species.

That plants had a mode of generating somewhat analogous to that of animals was first observed by Robert Bale, about the year 1698. Mr.

Samuel Moreland, a member of the Royal Society, published an article on this subject in the Philosophical Transaction, in 1703, number 287, in which he explained how the dust of the apices in flowers, that is the male sperm, was conveyed into the uterus, or *vasculum seminale*, of a plant, by which means the seeds therein contained were impregnated. A French author, with whose name we are unacquainted, treated the same question in the *Histoire de l'Académie des Sciences*, in 1712. But the most elaborate account of this natural phenomenon was first given to the public by Bradley, the Botanical Professor at Cambridge, in 1726, and from his work the substance of this article is compiled.

As the lily is more generally known than any other flower, particularly in Guernsey, and as its generative parts are particularly large and exposed, it is the best adapted for illustrating this system; we, therefore, select it, to explain the method by which nature impregnates the seeds of plants, and thus continues in the world the different species of vegetables.

The flower of the lily has six leaves or petals, which are set upon the summit of the footstalk; these serve to guard the parts of generation from the injuries of the weather. Inserted into the footstalk is the *uterus*, in which are three ovaries filled with little eggs or rudiments of seeds, such as we find in the ovaria of animals, but these eggs will decay and come to nothing, unless they are impregnated by the *farina fecundans*, or male seed, of the same plant, or one of the same sort. Inserted into the upper part of the *uterus*, and springing from it in the shape of a tube, or hollow stalk, is the *pistillum*. These constitute the female parts of generation.

Now, suppose a stamen also springing from the foot-stalk, and rising a little higher than the mouth of the *pistillum*, so as to cover, or overshadow it. This stamen is the male organ of generation, through which the fecundating power of the plant is conveyed to be perfected in its apex or summit, where, by the heat of the sun, it ripens and bursts forth in very minute particles, like dust, some of which powder falling on the mouth of the *pistillum*, is either conveyed from thence into the *uterus*, or, by its magnetic virtue, draws the nourishment with great force from the other parts of the plant into the embryo of the fruit, and makes it swell.

That the *farina fecundans*, or male dust, has a magnetic virtue, is evident; for it is that only which bees gather and lodge in the cavities of their hind legs to make wax with; and it is well known that wax, when it is warmed by friction, will attract to it any light body. But moreover, if the particles of this powder should be required by nature to pass into the ovaries of the plant, and even into the several eggs or seeds therein contained, we may easily perceive, if we split the *pistillum* of a flower, that nature has provided a sufficient passage for it into the *uterus*.

In this attempt to give a plain and popular description of the mode in which plants generate, we have assumed only one male stamen, to prevent confusion or mistake; but the flower of every lily has six stamens, of the same figure and use, which are placed round about the *pistillum* or female tube, so that it is scarcely possible for its orifice to escape receiving some portion of the male dust, or *farina fecundans*. In the lily, and other flowers of a similar nature, the *pistillum* is always so placed, that the apices which surround it, are equal in height with it, or rise above it; so that their dust falls naturally upon it. When we observe it to be longer than the stamen which carries the apices, we may then conclude that the fruit has begun to form itself, and has no longer occasion for the male

dust. It is also observable that as soon as the work of generation is performed, the male parts, together with the leaves or coverlids, fall off, and the pipe leading to the *uterus* begins to shrink. We may further remark, that the top of the *pistillum* in every flower is either covered with a sort of velvet tunick, or emits a gummy humour, the better to retain the dust of the apices.

In this account of the lily, it appears that the *uterus* is within the flower; but this arrangement varies in different plants. In the rose, it is without the flower, at the bottom of the petals, or flower leaves. The cherry and the plum have their utricles within their flowers; and the gooseberry, currant, apple, and pear, on the outside or bottom of their flowers. Although nature has designed the dust of the apices to fecundate the female parts contained in the flowers of plants, yet we may observe in some plants, that the male and female parts are remote from each other. As for example; the gourd, pumpkin, melon, cucumber, and all of that race, have blossoms distinctly, male and female, upon the same plant. The male blossoms may be distinguished from the others by noticing that they have not any *pistil* or rudiment of fruit about them, but have only a large *thrum* covered with dust in the middle. The female blossom of these has a *pistillum* within the petals or flower leaves, and the rudiment of their fruit is always apparent at the bottom of the flower before it opens; and in the same manner, all nut-bearing, and mast-bearing trees, have their catkins or male blossoms remote from the female parts.

The oak, for example, which blossoms in May, has its male parts distinct from the acorns: we find strings of little farinaceous flowers in great abundance, remote from the rudiments of the acorns or fruit. The same may be observed in the walnut, chesnut, hazel, pine, cypress, and even the mulberry, aspen, and others. Some sorts of willows change their sex every year, by producing only male blossoms or catkins one year, and in the year following, strings of female blossoms.

When we view, with a good microscope, the male dust of one single plant, we find every particle of it to be of the same size and figure; but in some cases it is of two colours, as in the tulip, where it is yellow or blue; but as plants differ from one another in their figures and qualities, so are the characters of their several dusts greatly different from each other. A grain of the dust of *Geranium sanguineum*, resembles a bead of a necklace with a hole through it. The farina of the *Corona Solis perennis*, is a globe set with thorns; that of the *Ricinus Vulgaris*, is of the figure of a grain of wheat. The *Acer montanum candidum* affords a dust of the figure of a cross; and thus, in different fashions, the farina of every plant varies in shape and character from the rest.

The female parts of generation in plants are best seen in large fruits, without the trouble of the microscope, such as the fruit of the pumpkin or melon, where, with the natural eye, we may discover the vessels distinctly, which form the tunick or covering of each ovary; we may see how the seeds are joined to it, and how they receive nourishment. Between the several ovaries contained in that fruit, we may also easily perceive the *vagina*, or passage, through which the *farina fecundans* has passed to impregnate the seeds.

It may perhaps be objected against this hypothesis, that there are many flowers which hang downwards, as the crown imperial, the cyclamen, and others, and consequently that their pistils cannot receive the *farina fecun-*

down upon them ; but, if we observe that the pistils of these flowers are always more prominent, or somewhat longer than the dusty apices which surround them, we may easily conceive that the glutinous matter and velvet covering on the extremities of the pistils, may be capable enough of receiving and holding some of the powder as it falls ; and whether the intromission of the *farina fecundans* be requisite or not, its lodgment on the mouth of the pistillum may, by virtue of its attractive quality, perhaps fecundate the seeds contained in the uterus. In the production of animals, there are yet greater difficulties to be encountered, and if the analogy between plants and animals were more generally studied, many discoveries might be made which might prove as serviceable to the preservation of animal bodies, as the philosophy of the generation of plants has been to the vegetable world, and the improvement of horticulture. We know, for example, that trees are generally longer lived than animals, some of them surviving for four or five hundred years ; and there are traditional accounts of trees that have lived upwards of two thousand years. The three most obvious reasons for this longevity are the following ; 1st. Trees have no sensation, and it is clear that the senses prey abundantly on the juices of the body to which they belong. 2nd. They always breathe the same air. 3rd. They always feed upon the same diet. In the patriarchal times, when men lived to an age of many hundred years, they are said to have fed upon a simple diet, and to have drunk of the clear stream ; at least they had but little variety of food.

We now proceed to what may be called the *demonstrative* part of the system. If the apices of a flower, say a tulip, are carefully taken out, before the *farina fecundans* is ripe, and has in any positive form developed itself, the tulip, being thus castrated, will bear no seed that summer. As a further demonstration that plants generate after the manner already described, Professor Bradley recommends the curious horticulturist to make the following experiment, which we shall give in his own words :

"Make choice of such a plant of the hazel or filberd, as you find to be in a bearing state, and far distant from any other of the same sort. This tree in January puts forth what are commonly called catkins, which are long thrums, composed of very small flowers, that, towards the beginning of March, are covered with a fine dust, or male seed. 'Tis then the blossoms, or female parts, appear on the buds of the same tree. They are very small, and hardly to be discerned, without strict enquiry, only offering to the view a small cluster of scarlet threads, which are so many tubes leading to the rudiments of the nuts. This happens at a windy season of the year, that the male dust may be more easily conveyed to the *strikles*, or female blossoms, of the plant. Now, as soon as the catkins appear they must be carefully taken from the tree, and it will produce no fruit that year, unless you have a mind to single out any particular blossom of it, which may be impregnated with catkins, from another tree, gathered fresh every morning for three or four days successively, and dusted lightly over it, without bruising its tender fibres. And, in like manner may the blossoms of another tree or flower be castrated, and the same effect will follow."

By attending to these phenomena, we may perhaps alter the property and taste of any fruit, by impregnating the one with the *farina* of another of the same class : for example, a codlin with a pearmain, which will cause the codlin so impregnated to last a longer time than usual, and be of a sharper taste : or, if the winter fruits should be fecundated with the

dust of the summer kinds, they will decay before the usual time. It is from this accidental coupling of the farina of one with the other, that in an orchard where there is a variety of apples, even the fruits gathered from the same tree differ in their flavour and their times of ripening; and moreover, the seeds of those apples so generated, being thus changed from their native qualities, will produce different kinds of fruits, if they are sown. The produce of this vegetable coupling still further illustrates the analogy between plants and animals, for every one knows that by crossing the breed, new racers will be engendered, excelling their progenitors in bone, or swiftness, or sagacity.

It is from this accidental, or artificial, union, that proceed the numberless varieties of fruit and flowers which are raised every day from seeds. The Auricula is a remarkable instance of this multiplicity. We need not explain the very obvious fact of the male dust of plants being conveyed by the air from the one to the other, by which this generation and production of plants is brought about; but it may be useful to hint to those who have orchards in Guernsey and Jersey, that they ought only to plant one sort of apple, if cider is their object; for the farina of any other variety will certainly deteriorate the value of the cider fruit, by ripening some sooner, and others later, which will occasion a continual ferment in the liquor, and never permit it to settle or grow fine. Were this rule attended to, the filthy use of bullock's blood might be dispensed with.

From these remarks on the philosophy of the generation of plants, it is plain that the fruit of any tree may be adulterated, as well by the farina of one of the same sort, which perchance may be sickly, and of a dwarf kind, as by the dust of some other near a-kin to it, but inferior in quality to itself. The same care, therefore, should be observed by the young horticulturist in the selection of seed, from which he hopes to rear his plants, flowers, and vegetables, as in the stock or parentage from which a sportsman breeds his game-cocks, hounds, or racers.

There is only one plant which seems to be free from the danger of coupling with other sorts, and, consequently, of either improving or diminishing the qualities of its seeds, and that is the *mistletoe*. The parts of its flowers are indeed as apt to generation as those of other plants; but whether we find it growing on the oak, willow, lime, or any other tree whatsoever, the leaves, flower, and fruit, with its manner of growth, are all alike. A peculiarity attached to this plant is, that it can neither be propagated in earth or water, but upon trees and plants only. The ancients called it a *superplant*, peculiar to the oak, and tell us, that although it seemingly produced seed, they did not believe that that seed could possibly be made to vegetate, probably because they had unsuccessfully tried the experiment in earth. But as it is so frequently found growing on other trees, besides the oak, in our times, it is easy to refute the ancient theory, and show how it may be propagated from seed upon any tree whatever. About Christmas, when the berries are ripe, they may easily be made to stick upon the smooth bark of any tree. The viscous juice, which encompasses each seed, will bind it fast to the part to which it is attached; and with this small trouble, young plants may be expected the following year, provided the seeds are not devoured by the birds, which may be guarded against by covering them with a net. This practice may be useful in repressing the too great vigour of some fruit trees, and relieving them of their superabundant juices, which are always destructive of prolificity, whether in plants or animals.

From what has been stated generally in this article, we may learn why double flowers seldom bear seed, because the dust of the apices is too much crowded with the petals or flower leaves, which, for that reason, cannot easily reach the *style* or *pistil* of the flower, which is always prominent, and above the petals, in full flower. It appears likewise, that the natural properties of fruits and seeds may be changed by accidental coupling with other plants; and that the seeds so altered, may rob us of our hopes in planting, by having their principles debauched by the dust of distempered and degenerated plants.

CONSTITUTION OF THE JESUITS.

HAVING, in the last number of this Magazine, given a slight sketch of Ignatius Loyola, and his first associates, we now propose to draw the outline of that extraordinary constitution, which, in after times, conferred so dreadful a power on the order of Jesuits. It was chiefly prepared by Lainez, who had infinitely more erudition than Loyola, but they both had the policy to disclaim its authorship, which they ascribed to the Holy Spirit and divine revelation.

The monarch, under the title of *general*, exercised a power unlimited and perpetual, the restrictions on his authority being rather nominal than real. His subjects were bound to pay him a passive and blind obedience; he had the prerogative of repealing old laws and establishing new ones; he admitted into the order those whom he pleased, and exercised the same right of expulsion; he nominated to every office, excepting to those of *assistants* and *admonitor*; convoked general assemblies at his will, over which he presided, having two votes. In these assemblies the *general* was elected, and none were eligible to that station but those who had taken the *four vows*. In these elections, the greatest attention was paid to birth, title, wealth, reputation, zeal, talent, vigilance, boldness, and fortitude. If the general was ill, or obliged to absent himself, he appointed a vice-general, who ruled till his health was restored, or till he had returned from his journey. But if old age, or some incurable disease, incapacitated the general, then, as it became necessary to substitute a perpetual vice-general, invested with absolute power and a right to the succession, his nomination belonged to the general assembly, which, however, required the ratification of the pope. The general also named a vice-general before his death. If he did not, then the professors of the *four vows*, who happened to be at Rome, had the right of election. The functions of this vice-general consisted in convoking a general assembly, to elect a new chief, and to govern the society till he was chosen. His authority was limited; he could not introduce any new rule, or custom, or ceremony, nor could he abrogate such as were established. His power totally ceased as soon as the election took place.

The *assistants* composed the privy council of the monarch; they were his ministers. They took their official names from the place of their birth, and were chosen by the votes of a general assembly. If the general led a scandalous life, or dissipated the revenues of his order, they could convene a public meeting, and proceed to his deposition. Besides the *assistants*, the general had near to his person another officer, elected by the assembly, whose duty it was to advise him privately, if he saw any

thing wrong in his conduct. This counsellor was styled the *admonitor*. In spite of these limitations, the general of the Jesuits was more absolute than any monarch, more respected in his dominions, and least of any exposed to dethronement. He had only to win over the assistants and the *admonitor*, and no power could give him alarm.

The *provincials* were so called because they had the government of one of the provinces or districts in which the Jesuits had an establishment. In a case of necessity, they could appoint *vice-provincials*, if the general himself did not name them; they were also empowered to change the superiors both of the houses occupied by regular members, and of those filled by such as were passing through their noviciate, as well as the rectors of the colleges situate within their jurisdiction, and to replace provisionally such as might die. They chose the masters of the provinces, the procurers, the ministers, the spiritual prefects, those who superintended their schools and their hospitals, the preachers, confessors, the *admonitors* of the superiors, the regents of the colleges, the professors and chief officers of their universities, except the rectors and the chancellors; but all these appointments required the approval of the general. They could admit to the noviciate those in whom they discerned the requisite qualifications, and dismiss such as were yet in the first or second noviciate, provided the general had not approved of them, or they had not brought any considerable accession of influence to the company. They could not expel an approved scholar, nor an admitted coadjutor, without the knowledge of the general, unless the case was very urgent; but they had no right whatever, under any pretext, to dismiss one of the professed, or an established coadjutor, whether his functions were spiritual or temporal. The general alone had that prerogative. The provincials had four assistants, one of whom acted as *admonitor*. They were, in fact, spies placed by the general in attendance on the provincials, from whom he received reports of their conduct.

The *commissioners* and *visitors* were extraordinary officers sent by the monarch to inspect the religious houses and colleges, to hear complaints, and reform abuses. Their commission defined and limited their power.

Each province, each religious house, each noviciate establishment, and each college, had its particular procurer, and there was also a procurer-general, resident at Rome, who superintended all the affairs of the society. The procurer of a province administered the business entrusted to him by the provincial, and was obliged to render him an account twice annually. The rules of the order required him to adjust all disputes amicably, and not to bring any one before the tribunals, until all peaceful means of obtaining justice had been tried in vain. The procurer of a religious house was charged with the care of its temporalities, the supply of provisions, and the gathering of charitable donations. He recorded the names of all benefactors to the institution, kept a registry of the amount of their donations, and invited others to imitate their example. The procurer of a college or a noviciate establishment provided all articles necessary for the living of the members, and received the revenues and charities. He was enjoined to consider all the temporalities entrusted to his custody as the property of our Lord and Saviour.

In addition to these principal officers, there were many subalterns. There were the examiners, to whom every one desirous of joining the company were to make known their wishes; the masters of the novices; the ministers who assisted the superiors; the sub-ministers, who looked

after the kitchen, the larder, the dormitory, and the cellar ; the counselors, who aided the superiors by their advice ; the admonitors, who warned them of their faults ; the prefects of things spiritual, who taught the orthodox form of prayers, the art of counting beads in a rosary, and superintended ordinary acts of devotion ; the prefects of the churches, who had charge of their reparation, performed masses, and announced the fast days ; the prefects of the hospitals, the libraries, the refectories ; the sacristans, the overseers of the infirmaries, the porters, the valets of the wardrobe, the purchasers of goods, the caterers, the cooks, the watchmen, and numerous others, whose functions we could only describe by their names.

The subjects of the Jesuitical monarchy were divided into five classes ; the novices, the approved scholars, the spiritual coadjutors, the professors of the four vows, and the temporal coadjutors.

The principal qualifications required in any candidate before his admission into the company were, an amiable temper, sound health, a graceful person, and an open countenance. All were excluded who had ever abjured the Roman Catholic doctrines, or embraced any heretical opinion, as well as persons who had received any degrading sentence, either civil or canonical, and those who were subject to hypochondriac or monomaniac feelings. The same exemption applied to such as had belonged to any monastic order, or had been hermits, even though for a single day, and to those who were descended from Jewish or Mahometan parents. Great personal merit, or vast wealth, could alone counterpoise these grounds of exclusion.

If the examiner found none of these preliminary disqualifications, he demanded, among other questions, whether the candidates were born in wedlock,—whether they were only sons,—whether they had any hereditary disorder,—whether they were eunuchs,—whether they owed any debts,—whether their family was numerous,—whether they were married, and, if so, to whom,—whether their ancestors had always been Roman Catholics,—whether they had entered into any engagements, either to take holy orders, or to fulfil a vow, or to contract a marriage ; and finally, to declare the reasons which induced them to join the company, and whether they were firmly resolved to remain permanent members of the institution.

The probationary noviciate which followed this interrogatory lasted two years. During the first month, these pupils were exercised in spiritual discipline alone. After this trial, they made a general confession to the superior, or his colleague, and they then received the academical dress of the order. During the two years of noviciate, they were sounded in every possible manner to discover their real inclinations, the bent of their minds, and their ruling passions. They were compelled to discharge the most menial duties, and sedulously taught implicit obedience to their superiors : they passed their time in vocal or mental prayer, in meditation, in stringing their beads, in repeating their rosary, and spiritual exhortations ; they tended the sick in the hospitals for a month, and, in the ensuing month, made a pilgrimage on foot, without money, and begging their bread. At the expiration of the two years of noviciate, they were allowed to take the vows of poverty, chastity, and obedience ; after which they commenced a regular course of study.

The pupils were taught the ancient and modern languages, poetry, rhetoric, philosophy, theology, ecclesiastical history, the Scriptures, ac-

cording to the age and capacity of each ; but, lest the love of the sciences should benumb the relish for devotion, different means were adopted to keep the flame alive, and all these were so contrived as to give the superiors the greatest facility of penetrating the secret thoughts of the scholars. The principal were the weekly administration of the sacrament, an examination of consciences twice a day, spiritual exercises throughout the year, the renewal of the vows twice yearly, solitude, meditation, penance, general confessions, and moreover, a second noviciate of one year, during which the pupils totally abandoned polite literature for spiritual discipline, and to give them courage to speak in public, they were sent out on trifling missions into the villages and small towns.

After this second noviciate, they were solemnly bound to continue permanent members of the company, and they then promised to live and die in rigid observance of the vows of poverty, chastity, and obedience, which they had taken. An additional vow obliged them to accept unconditionally whatever employment the superior thought proper to give them, however menial its nature might be. This last obligation was taken in secret ; it was neither written nor signed. Nevertheless, it was as binding on the whole company as if it had been executed with the most imposing solemnities ; so much so, that whoever violated it without the permission of the general, incurred all the penalties inflicted on apostacy.

The *approved scholars* were those who had passed their noviciate, and taken the secret vows ; they were frequently employed as regents. The *spiritual coadjutors* were one rank above the approved scholars ; they pronounced their vows in public, placing their hands between those of the superior, who accepted them in the name of the general ; but the company had the right at any time of cancelling these vows, if they determined on the expulsion of a member who had taken them. The *professors of the fourth vow* were those who, after a long probation, were deemed worthy of dying Jesuits, and knowing all the secrets of the institution. To the three ordinary vows of poverty, chastity, and obedience to the rules of the order, these last took a fourth vow, to pay implicit obedience to the orders of the pope. These public vows, absolute and solemn in their nature, bound those who took them irrevocably, and for the whole period of life, and they became dead in law, to the extent of not inheriting any property. The *temporal coadjutors* were laymen who only took simple vows, and were employed in temporal vocations ; their noviciate was completed in one year, and they could not exercise the duties of any office longer than two years. Men of good education, or those who were allied to noble families, or had served in the army, were rarely admitted ; a preference was always given to those who had learned some trade, but who could neither read nor write : but still, men of decidedly coarse exterior and rude manners were excluded. Those who had taken the four vows could only be expelled from the society under very extraordinary circumstances, and in no case without their consent, for the society were obliged to be courteous to those who knew its mysteries.

Ignatius Loyola, intending to send his disciples to any part of the world where he saw a prospect of advancing the temporal interests of the society by spiritual conquests, only allowed them to wear the dress of simple ecclesiastics, and this dress was varied and adapted to the usages of the country in which they might happen to reside. The travelling Jesuits were not required to practise either abstinence or austerity, for

being obliged to go whithersoever the pope commanded, this class were required to be strong and healthy. Neither were they required to chaunt, or read prayers or masses : another division performed these duties ; the travelling Jesuits, in fact, were subjected to a species of military discipline. Among the most important, and not the least curious, of the rules of Loyola, is the following : "The inferiors are not to regard the superior, whatever he may be, whether wise or ignorant, holy or sinful, as a man subject to any error, but they must believe as an article of faith, that he is one of the vicars of Jesus-Christ, and that all he orders is just, and conformable to the will of God ; they are to respect him as infallible, and blindly abandon themselves to his government ; they are to manifest the most entire resignation to his wishes and orders, and adopt his pleasure and judgment as the rule of their own pleasure and their own judgment ; in his hands they are to be as soft wax, susceptible of adopting any form, as a dead body which has no power of motion within itself, as a small statue which can be handled and placed any where, finally, as the stick of an old man, which he takes or lays aside at his caprice. The inferiors are to obey all those who are superiors to them, of whatever grade, regarding them all as vicars of Christ in different degrees, and bearing in mind that the authority of the last is delegated from the first, no matter how many intermediate steps may intervene."

After having thus deprived his subjects of their free will, their judgment, their reason, and their common sense, and rendered them passive instruments and mere machines, Loyola then devised the means of making them as useful as possible to the general, and the following were the chief features of his plan : 1st. The monarch, or general, was to have a fixed residence, from which he could issue his commands to his subjects in all parts of the world, and this residence was Rome. 2nd. His ministers or assistants were to live near to him, and report all the correspondence carried on with the provincials. 3rd. The superiors of all the religious houses were to write every week to their provincial. 4th. The provincials were to write every month to the general. 5th. Once a year, they were to forward a summary or recapitulation of all the various letters they might have received. 6th. Every third year, the provincials were to draw up, each in his own district, an exact report of the state of their department, with the rank, name, age, state of health, talent, virtue, or vice of each member, of the reputation which the company enjoyed, the progress it had made, the donations it had received, and the number of its friends or enemies ; and to secure the careful delivery of these reports, a deputy was specially elected every third year by the provincial assembly, to carry them to Rome. 7th. The superiors, provincials, &c., were to write to the general as often as possible, and all the subjects of the Jesuitical monarchy were allowed to address him as often as they pleased, touching their wants and complaints.

By this regular correspondence, the monarch of the Jesuits was constantly informed of all that transpired in his extensive dominions. Moreover, as his subjects were spiritual confessors of the people, the ministers of state, the nobility, the princes of the blood royal, and even of kings themselves, the general knew the secrets and the policy of all courts and cabinets, and through the information transmitted by his agents, without quitting Rome, he could thwart the measures of every government in Europe. He knew the character, the disposition, the passions, the good and bad qualities of all the Catholic princes, their

power, the amount of their revenue, their secret alliances, their interests, their schemes; he was well informed whether they were loved or hated by their subjects; he favoured those sovereigns who supported the Jesuits, and employed every expedient to injure, dethrone, or murder those who opposed the schemes of the company. Those entrusted with such orders accounted it the highest glory to execute them with blind submission, and as the confessional gave them an accurate knowledge of the views and sentiments of the whole Catholic community, they possessed every possible facility to excite domestic quarrels and public revolt. This dangerous confederacy soon spread itself throughout Spain, France, Portugal, Germany, and the Low Countries, and ultimately branched out to Fez, Morocco, Congo, Brazil, Japan, and even to China.

It would occupy too much of our present space, were we to write even a short summary of the effects produced by this institution on the morals and religion of Christendom. That the company produced some valuable members, must be admitted; but their crimes throw these few virtues into the shade. There is no imaginable vice that their writers have not defended; murder, adultery, and promiscuous concubinage, not excepted. On some future occasion, we shall throw into a single article the trials of Jacques Clement, Ravallac, and Damiens, all of whom were incited to their respective murders of the kings of France by the Jesuits, adding such remarks as may point in strong, but faithful, colours, the persecuting spirit of intolerance by which the progress of true religion and pure Christianity has been so fatally retarded.

THE ROMAN DE ROU.—No. 5.

(Continued from page 27.)

THE first act of Richard after his restoration to the duchy, was the dismissal of Raoul-Torte from his office, and his expulsion from Normandy. According to Wace, this minister was avaricious and wicked; he charges him with only paying among the duke's household eighteen deniers per day, and not retaining any singers or musicians. Dudon, who had better opportunities than any one else to ascertain the precise nature of the duties entrusted to Raoul-Torte, speaks of them in a strain of obscure verbosity, which renders the point altogether unintelligible. William of Jumieges calls him *urbis præfectus*; but this title does not correspond with the functions of an officer, who paid the salaries of the royal household. We incline to think that he was the treasurer, or privy purse, but that is only our own conjecture, and we do not state it as an historical fact. Perhaps the only crime of Raoul-Torte was too great a zeal for the service of his master, and an honest repugnance to swell the pension list, or augment sinecures, a virtue abhorrent in the eyes of court parasites. But, be this as it may, he was obliged to seek refuge at Paris, with his son, the bishop of that city, whose name was Gautier, the first of that name who makes any figure in history. The signature of this Gautier is appended to two acts, one dated in 937, and the other in 941; in the last, he figures as chancellor of Hugh the Great.

Hugh, duke of Paris, now resolves to form a permanent alliance with Richard, and, for this purpose, the Duke of Normandy is affianced to his daughter, yet a child, but proper pledges are given that the marriage shall be consummated, when the bride has attained to a suitable age. Hugh invested Richard with the order of knighthood, and the very best under-

standing prevailed between them. By this alliance, offensive and defensive, they felt themselves in a condition to retain their respective dominions in peace, and bid defiance to their external enemies. They were soon put to the test by Louis and Arnoul, who, according to Wace, violated the truce, four years after they had made peace. But this is an error; for, when Arnoul had prevailed on Otho, emperor of Germany, to declare war against Hugh and Richard, the confederated troops invaded the island of France, or St. Louis, on which old Paris still stands, at the Pont Neuf, and also Normandy, in 946, whereas Richard was restored in 945.

Wace does not state the amount of the hostile army, but M. De Mesnil, in his "*Chroniques Neustriennes*," page 37, reckons the army of Otho at two hundred thousand men. They advanced suddenly on Rouen, from which Richard marched out with his Normans and Bretons, and his Parisian allies. Wace here mentions a curious circumstance, which we cannot pass over without a brief remark. He says that one of the captains of Richard carried a banner of red Spanish cloth:—*Cil porta gonfanon d'un dresp vermeil d'Espaigne*. This verse confirms what we have already stated, at page 167 of our second volume, that the national colour of the Normans was red, and that their war banner was of that colour, as well as the French oriflamme. A passage in *Ordericus Vitalis* would seem, however, to destroy this position, and prove that red was an ensign of peace among the Normans, at least towards the close of the eleventh century. In speaking of a voyage to England, undertaken at that time, by one of the chieftains of the armies of Oläus, king of Denmark, he says: *Sed rubrum scutum, quod signum pacis erat, super malum navis evertit*: but he raised a red shield, which was the sign of peace, upon the mast of the ship. But this by no means destroys our argument, for, on this occasion, we are to consider the red shield in the character, so to speak, of the national flag of the Normans, floating from the yard, as the flag of every nation does now, even in time of peace.

Richard, though still young, showed himself worthy of his heroic ancestors, and displayed the prudence of a general, combined with the valour of a soldier. Being anxious to detach the Germans from the strong position they occupied, he pretended to fly in disorder, and thus dexterously decoyed the advanced guard of the enemy between the mountain Beauvoisin and the capital, when he attacked them with impetuosity, slew the nephew of Otho with his own hand, and totally routed the hostile army. It is Wace who says that the young duke killed the nephew of Otho in single combat; but Dudon and William of Jumieges are content with stating his death in general terms, and make no allusion to his immediate slayer.

Otho, enraged at the discomfiture of his troops, and the loss of his nephew, now advanced in person with the whole of his forces, and laid siege to Rouen. The Normans, undaunted at this formidable attack, prepared for a vigorous resistance. The resources of Richard seemed to increase in proportion to the dangers by which he was menaced. The most prudent in counsel, the most intrepid in action; providing for all the public wants, guarding against all contingent dangers; the young duke inspired his followers with fortitude, courage, and resolution; and the Emperor of Germany was repulsed in all his attacks, and driven from his entrenchments.

Otho now holds a council of war, and discusses with his barons

the difficulties of carrying on the siege. He remarks that provisions are carried into the town, not only in boats, but by a bridge across the Seine into "Hermentreville," the ancient name of the modern faubourg St. Sever. The allusion to the bridge has embarrassed antiquarians. The general opinion among the inhabitants of Rouen has been, that the first bridge raised in front of the city, was constructed by the Empress Matilda, which directly contradicts the text of Wace. But it is easy to reconcile this discrepancy. We learn from the historians, even of the twelfth century, that Matilda merely *repaired* the bridge of Rouen: the expression used by them all is "*refecit*," and never "*ædificavit*:" this alone decides the point; but we shall prove elsewhere, that this bridge, the existence of which is clearly acknowledged under the reign of Richard the Second, must have been built even before the invasion of the Normans.

After Otho had consulted with his barons, he demanded a truce of Richard, and, as Wace informs us, solicited permission to repair to the tomb of Saint Ouen, there to pray. This latter request appears somewhat improbable, as Otho could have gone to Saint Ouen without the permission of Richard, it being then without the walls of the city, and situate, as Dudon justly remarks, "*in suburbio civitatis*." Yet he also declares, that the emperor made this request, and thus corroborates the text of Wace.

During the armistice, Otho again convenes his barons, and being convinced that he had undertaken an unprofitable expedition, he breaks out in bitter reproaches against Arnoul, whom he threatens to deliver into the hands of Richard. But his barons oppose him, affirming that it is dishonourable to place any man in the power of an enemy who would kill him—a just, humane, and noble sentiment, which reflects the highest credit on the feelings of those rude warriors.

L'en ne deibt mie rendre ostage ne prison

A home ki l'ocle, poiz qu'est sun compaignon. Vers. 4185.6.

Otho now determines to retreat, and Arnoul, fearing to be delivered up to the Normans, flies from the encampment. The noise of this movement, for he draws his troops along with him, alarms the confederates, who mistake it for an attack by Richard; and the people of Rouen, equally deceived, imagine that a general assault is about to take place. In this passage, Wace describes the different horses used in the armies, which it may be useful to notice. The "*Destrier*," was the war horse, or charger; the "*Palefroi*," was a parade horse, chiefly used by ladies and priests; and the "*Roncin*," or "*Roussin*," was the drudge horse, used by servants. Query.—Is this the root of "*Rozinante*?"

The confederates fly in disorder, and are pursued by the Normans into a wood called by Wace "*Maupertuz*," where they gain a complete victory, and follow their enemies up to the gates of Amiens, where Louis dies of grief. It is difficult to fix the topography of the wood, indicated by Wace, as there remains nothing to define the locality between Amiens and Rouen. The corresponding passage in Dudon is the following: *Tandem quedam phalanx Rotomagensium commisit ad silvam, quæ dicitur Maliforaminis, cum eis prælium, atque opitulante Deo, devictis hostibus obtinuit triumphum.* Wace has followed William of Jumieges in stating that Louis d'Outre Mer died of grief, after returning from the expedition into Normandy, with the Emperor Otho. So gross a chronological error is startling, even from writers so little scrupulous of their facts. The

truth is, that the French king died from an injury that he received when hunting, in 954, or eight years after the date fixed by Wace.

Peace being thus restored, our author tells us that Richard was married to the daughter of Hugh the Great, to whom he had been affianced, and appointed guardian to his son, till he arrived at an age to receive the order of knighthood; on which statement we must offer a few remarks. Wace calls the daughter of Hugh "Bathilda;" her real name was Emma, or Emancette. Hugh did not live to see this marriage solemnized, which took place in 960, and Hugh died in 956. Richard was, however, appointed guardian to the son of Hugh, who figures in history as Hugh Capet, and who usurped the throne of France after the death of Lothier, or Lothaire, the son and successor of Louis d'Outre Mer. It was in 955, that Richard received this striking mark of esteem from the Duke of Paris. According to the old chroniclers, Hugh the Great thus addressed his children: "I desire, my dear children, that you will endeavour to model your characters after the example of Richard your guardian, and that his good counsel will form your rule of prudence; you know that I have affianced your sister to him, and that they will be married, as soon as she has attained to a proper age; these are the most holy wishes of my heart, which fervently prays the blessing of heaven on the full accomplishment of these my desires."

The period of tranquillity was of short duration. Theobald, surnamed "Le Tricheur," or "Trickster," count of Chartres, Blois, and Tours, levied war on Richard, and ravaged the open country. He formed an alliance with Lothaire, king of France, but being unable to gain any advantage over the Duke of Normandy by honourable warfare, they laid a scheme for his assassination. The agent in this business was Archbishop Bruno, who invited Richard to an interview at Beauvais. This was accepted; but on the journey, he met two cavaliers who warned him of his danger. He rewarded them for their fidelity, giving one a sword worth five marks, and the other a handsome buckler, and returned to Rouen, where the loudest indignation was expressed against the conspirators.

Such is the statement of Wace, on which we have to offer some remarks. The Norman historians, so delighted with giving fictitious relations to Richard the First, have forgotten to state that Theobald had married the Duchess Leutegarde, the mother-in-law of the young duke. Dudon, however, knew this fact; but he preferred indulging his usual amplifications and rhodomande to descending to such a vulgar particularity. He merely alludes to the fact in the following vague phrase: *Tetboldus. . . novercalibus furis. . . succensus*. But these few words, drowned in a sea of verbose declamation, have escaped the attention of almost all the critics. This Theobald died in 978. Among the Norman chroniclers, he replaces Arnoul in the character of a traitor. The sole historical fact, however, which supports the animadversions of Wace and his countrymen, is furnished by Flodoard, in the following passage: "*Anno 961. Placitum regale, diversorumque conventus principum Successionis habetur, ad quod impedendum si fieri posset, Ricardus filius Willelmi Normanni accedens, à fidelibus regis quibusdam persuasus, et interemptis suorum, in fugam versus est.*" Flodoard, however, is silent on the pretended journey of Bruno to Beauvais or Amiens, which indeed appears to be apocryphal. This Bruno was the son of Henry the Fowler, archbishop of Cologne, in 953; and he died at Rheims, on the 11th of October, 965, on returning from a journey

which he had taken to Compiègne, with a view to reconcile his nephews, king Lothaire and the sons of Hugh the Great. He went for the same purpose in 959. Most probably, these journeys of Bruno to Compiègne, misled the Norman historians, who changed the whole into a travelling conspiracy. As to the presents of the sword and buckler, which Wace says that Richard gave to the two knights who warned him of his danger, Dudon and William of Jumieges give a much more magnificent account. They say that he gave one of them a splendid sword, the handle of which was gold, and weighed four pounds, and to the other a bracelet of the same metal and the same weight.

Theobald, being baffled in this first attempt, according to the text of Wace, renews his solicitations with Lothaire, to get Richard within their power. The king of France, accordingly, dispatches a messenger to the duke, requesting him to grant an interview on the banks of Eaulne, that they may ratify terms of alliance. This river is called in Latin, *Olna*, *Helna*, or *Elna*. Wace calls it the Elve, but this, probably, is a typographical error, the letter *v* being substituted in the place of the letter *n*. We have no other proof of this treachery than the testimony of the Norman historians; but, nevertheless, on this occasion their statements are so circumstantial, that they wear every appearance of authenticity. It is, moreover, quite natural to suppose that the king and his chief vassals desired to revenge themselves on Richard, who had endeavoured to sow dissension in the assembly of Soissons. The presence of Baldwin the Third, count of Flanders, who died towards the close of 961, at once prevents this expedition being fixed later than this year: so that vengeance was intended immediately to have followed the offence.

Richard accepts the invitation of the French king, and repairs to the appointed rendezvous. Being rendered distrustful from experience, he sends forward three spies, while he is taking his dinner, to reconnoitre, and ascertain, who are in company with the king of France. He learns from the first, on his return, that Theobald is one; that Baldwin of Flanders, surnamed the Young, is also there, being incensed against Richard for his interference in the assembly at Soissons, as noticed in the passage above, extracted from Flodoard. Another great baron present was Geoffrey the First, surnamed Grisegonelle, count of Anjou, and senechal of France, who died on the 21st July, 987. He was one of the nephews of the Bishop of Soissons, who was delivered as an hostage to the Normans for the release of Louis d'Outre Mer, as formerly stated. But there appears no reason why he should have entertained any personal animosity against the Duke of Normandy.

This intelligence excites the suspicion of Richard, and his worst fears are roused on the arrival of the other two spies, who report that the French are arming themselves. They soon approach in a body, and attempt to cross the river, but are opposed by the Normans. Lothaire follows them with the main body of his troops, and Richard retreats, and makes a stand on the river Deppe. The French endeavoured to force a passage across this river, but in vain: an action ensues, which is prolonged for some time, in consequence of Gautier, the grand falconer of Richard, stumbling with his horse in one of the fords, from which critical position he is saved by the duke in person. The army of Lothaire is defeated; he retires to France, and Richard returns to Rouen, where he is received with the approbation of the people.

Lothaire, disappointed in not having secured his prey, raises a fresh

army, and lays siege to Evreux, which he is enabled to get possession of through treachery, and he then gives it to Theobald. Wace is incorrect in saying that the king of France was personally in this action, for it was Theobald himself who captured Evreux. Richard, on his part, ravages the whole of the territory of Chartres, and Theobald carries the war up to the gates of Rouen. At length the hostile princes meet, when the Normans achieve a complete victory, and the city of Chartres is burned.

In the recital of this expedition of Theobald, Wace does not mention the cause of the war; but the probability is, that it was undertaken to recover the lands of the Duchess Leutegarde, the wife of Theobald, and mother-in-law of Richard. In stating that the Count of Chartres pushed his forces up to the gates of Rouen, Wace has followed his two usual guides, Dudo and William of Jumieges. This latter computes the number of the slain on the side of Theobald, at 640, and our author raises the number to 660. This is a very small loss compared with the vast importance that all the Norman writers attach to the victory of Richard. The only authentic information on this point is furnished by Frodoard: "*Anno 962. Tetbaldus quidem cum Normannis conficiens victus est ab eis, et fugâ solus evasit.*"

Our next notice of the Roman de Rou will conclude the life of Richard the First.

(To be continued.)

HISTORICAL NOTICES OF THE CHANNEL ISLANDS.—No. 6.

(Continued from page 33.)

DURING the civil war, the small island of Alderney adhered to the cause of the parliament, and we find that Mr. Peter Lefebvre, Seigneur de l'Espine, an ancestor of our present Greffier, was entrusted with its government, as the following official documents prove:

"On the 20th day of February, 1643, before the assembled magistrates of the island of Alderney, Monsieur De l'Espine, lieutenant-governor, has obtained permission from the judge and jurats to register the authority and commission which he holds under the hand and seal of Robert Russell, lieutenant-governor of Guernsey, Serk, and this island, under the right honourable the Earl of Warwick, as follows:

"Robert Russell, lieutenant-governor of the isles of Guernsey, Serk, and Alderney, under the right honourable the Earl of Warwick, who is constituted and appointed admiral of the royal fleet and of the vessels which are at sea for the defence of the king, the parliament, and the kingdom, and also governor of Jersey, Guernsey, and the adjacent isles, by order of the lords and commons assembled in parliament;

"To Mr. Peter Lefebvre, seigneur de l'Espine, by virtue of the power and authority which has been given to me by the above named right honourable Robert Earl of Warwick; I constitute and nominate you my lieutenant in the said island of Alderney, which place or office of lieutenant-governor is vested in you by virtue of this commission, by which you are required forthwith to repair to the said island of Alderney, there diligently to exercise and discharge all the duties of your office and place. We hereby command all the subjects of his Majesty in the said island to obey you, as our lieutenant; and you also are equally to obey and follow such orders and instructions as, from time to time, you may receive from me. Given under my hand and seal, this 3rd day of November, in the nineteenth year of the reign of our sovereign lord king Charles the First, 1643. (Signed) Robert Russell."

Mr. Lefebvre then received the following instructions for his government:

"You will take especial care that God be duly served, and that the gospel be regularly reached, and that all ordinances be observed and carried into execution according to the customs of Alderney.

"You will take care that all papists and roman catholics be expelled, and that no one, who has manifested the slightest leaning towards their superstitions, be suffered to remain in the island.

"You will, at all times, and whenever there shall be necessity for the same, drill and exercise the inhabitants of the island, placing them in a posture of defence to resist all and such forces which may be enemies of the king and parliament.

"Whenever you are in want of arms, ammunition, or other implements of war, you will advise me of the same, in order that they may be forwarded to you in due season.

"If you discover any mutineers or seditious persons who, by word or deed, or by any manner whatsoever, show themselves malcontents to the king, or the parliament, or to the governor of the said island, or to me, or to you my lieutenant, you are commanded to apprehend them, and send them to Guernsey, that such orders may be issued against them as are accordant with justice, their goods and estates being seized. At the same time, you will receive the tithes and such rents and profits as belong to the king's fief in the island, when they shall be due and payable, and you will render me a just account of the said receipts. Extracted from the registry, and signed, J. Mignot, greffier."

From the following certificate it appears that this gentleman discharged the duties of his office to the entire satisfaction of the lieutenant-governor :

"I, the undersigned, lieutenant-governor of the islands of Guernsey, Alderney, and Serk, do certify, that Mr. Peter Lefebvre, an inhabitant of the island of Guernsey, whom I did formerly send to the island of Alderney, as my lieutenant in the said island, to hold it in the king's and parliament's obedience, hath faithfully acquitted himself of his said part; who has also rendered me a just and faithful account of the revenue of the aforesaid island, for the time he has resided there; for the which I fully discharge him against whomsoever would question him for the same, by virtue of my commission honoured of both houses of parliament. Given at Guernsey, the 28th of November, 1643. (Signed) Robert Russell."

The timely assistance sent to Guernsey by the parliament at the request of Mr. Peter Carey, the particulars of which have already been related, secured the island from any external attack; and peace and prosperity would have smiled on the bailiwick, had not internal discord and party feuds split the small community into hostile factions. The popularity of Carey and De Beauvoir excited the jealousy and vindictiveness of De La Marche and Dobrée, and a long series of bitter disputes, recriminations and impeachments, arose between them, being almost a miniature representation of the hatred between the roundheads and cavaliers of the mother country. De La Marche went to London, pretending that he was a deputy sent from the States, to obtain the remodelling of the existing parliamentary commission, and the reconstruction of it, so as to include a majority of his friends. Gosselin, then the friend of Messrs. De Beauvoir and Carey, was also in the capital to watch the movements, and circumvent the designs of his competitor. It was suspected that the first plan of De La Marche was to prevail on the parliament to order several Guernseymen to appear personally at Westminster, there to give evidence, and as few could have borne that expense, they hoped by this *finesse* to suppress a portion of the testimony that militated against their views. The royal court took alarm at this manœuvre, and promulgated the following declaration :

"We, the undersigned, the bailiff and jurats of the Royal Court of the island of Guernsey, being informed that certain persons, to the prejudice of the privileges, customs, and ancient franchises of this isle, are endeavouring to obtain, from the lords of parliament in committee, orders or warrants to compel certain inhabitants of this island to proceed to England, which has always been very hurtful to the said inhabitants, as it appears by several orders in council of different dates passed in the reign of Elizabeth, of blessed memory, and of the kings of England, her

predecessors, to wit, of the 21st of June, 1565, and the 9th of October, 1580, and the 9th of June, 1605, as well as of the 27th June, 1637; and we being bound, by the oath of office, to maintain the said privileges and franchises, have authorized, and by these presents do authorise, Mr. Peter Carey, his Majesty's sheriff, to act as our procurator or attorney, generally and specially, to represent our complaints to their lordships in the committee of parliament; and for that purpose to draw up and present all remonstrances, petitions, and doleances, as he may think fit, to hinder and prevent, according to law and justice, the views of our opponents; and generally to do and perform, all and singular, such acts, as we ourselves might do and perform, if we were personally present, and to substitute one or more attorneys, with the same, or a limited power, we promising, under the obligation and guarantee of all the property of the States of the island, to hold him and his substitutes free and harmless from all costs and expenses which he, or they, may incur. In testimony of which authority and engagement, the seal of the bailiwick of this island of Guernsey, is to these presents affixed and appended, this 30th day of the month of May, 1646. (Signed) Peter De Beauvoir, bailiff, John Bonamy, James Guille, John Blondel, Josias Le Marchant, Michel De Saumarez, Thomas Carey, John Brehaut, and John Carey, jurats."

The lieutenant-governor, Robert Russell, then gave Mr. Carey the following safe conduct, and certificate of his zeal and fidelity to the parliament:

"These are to desire you to permit Captain Peter Carey, a well affectioned inhabitant of this island of Guernsey, to pass with his son, Mr. Isaac Carey, and daughter, Mrs. Martha Carey, and what appertains to them, by and through your several commands by sea and land, without any molestation, up to London. Given under my hand and seal, at Guernsey aforesaid, this 30th day of May, 1646. Anno, Regis Caroli, 22nd. (Signed) Robert Russell. Addressed to all admirals, vice-admirals, captains, and commanders by sea or land, in the service of the king and parliament."

The following is the certificate, which merits to be recorded, as relating to this distinguished Guernseyman; and more particularly, as we shall find, as we proceed, that such was his love of truth and high sense of honour, that when Robert Russell began to invade the privileges of the inhabitants, Mr. Carey, unbiassed by personal friendship, supported the accusations preferred against him:

"These are to certify, unto all whom it may concern, that this gentleman, Mr. Peter Carey, formerly one of the commissioners of parliament for the government of this island of Guernsey, has upon all insurrections, and alarms, and other urgent occasions, given very good evidence of his fidelity to the parliament's cause, by his assistance to me with his person and purse in what might conduce to the preservation of the said island. And I further certify, that for his faithful exertions he has much suffered from the enemy in his person, and otherwise, which I hereby attest. Signed and dated as above."

When Mr. Carey arrived in London, his chief endeavours were directed to circumvent the schemes of De La Marche and his party, and retain in power the old parliamentary commissioners originally nominated, and for this purpose he prepared and presented to the council in London the following document:

"1st.—The commissioners of parliament in Guernsey, having been entrusted with that island in the worst and most dangerous times, yet, with the blessing of God, they have preserved it to the obedience of the parliament, notwithstanding the great oppositions and practices of the ill-affected there.

"2nd.—The said commissioners having most suffered in their persons and estates, for the maintenance of the said cause, and knowing better than any other persons the enemies of the parliament in that island; therefore, they most humbly desire that they may be joined in commission with those that the parliament may send.

"3rd.—The great and earnest desire that they have of reformation in that island, which they have sought after so long here, at their great cost and charges, is the cause of this their humble request.

"4th.—They humbly represent that the opposition that Quetteville, Gosselin,

and Osborne make to the said commissioners is, because the greatest complaints are against them, and against those who have sent them here to blind and delude the parliament, so that, by these means, nothing of their oppressions, concussions, whoredom, &c., may come to light, which of necessity must be known, if the said commissioners be joined in the said commission."

After much labour and anxiety, a new order was obtained at the expense of Messrs. Des Granges, De Havilland, and Peter Carey, as deputies of the town parish, entitled :

"An ordinance of the lords and commons assembled in parliament, for the regulating and well ordering of affairs in Guernsey, Alderney, and Serk, dated 3rd of November, 1647. The following is a verbatim copy.

"The lords and commons in parliament assembled, taking notice of the great sufferings of the well affected inhabitants of the town and island of Guernsey, and the adjacent isles of Alderney and Serk, for their adherence to the parliament against the open and avowed enemies thereof; and, likewise, of their oppressions and grievances by reason of the malignant and disaffected persons in places of judicature, office, and authority there; for remedy therein do order and ordain, and be it ordered and ordained by the said lords and commons; that Edmund Ludlow, John Weaver, John Birch, and John Harrington, esqrs., members of the House of Commons, or any two, or more of them, shall be, and hereby are, constituted and appointed commissioners, and are authorised to hear and examine the complaints and grievances of the said inhabitants. And for the better performance thereof, they are to call to their assistance all, or any of the commissioners appointed in March, 1642, for the government of the said islands, or such other inhabitants there, as they shall think fit. And likewise to call before them such persons as are, or shall be, complained of, and acquainting them with the charges preferred against them, to take their answers thereunto, and examine witnesses on either part upon oath, which hereby they are authorised and required to administer, as well for proof of the several charges to be before them exhibited, as for the just defence of the parties accused (if the same be desired); and the examinations so taken, with the whole charge, answer, and defence, and also the desires and grievances of the said inhabitants, closed up, and signed, and sealed, under their hands and seals, to return, with all convenient speed, to the speakers of both houses of parliament, and otherwise to report the same, to the end that, upon hearing of the whole matter, and the desires of the inhabitants, such course may be taken as may tend to their peace and quiet government in times to come.

"And be it further ordained, that the said commissioners shall nominate and appoint a receiver of the public revenue of the government of the said island; and they shall also represent to both houses what they think fit to be allowed to the governor of the said island for the time being, for, and in respect of, the execution of his said place; and when both houses shall have resolved upon his pay, the said receiver shall pay the same unto him out of the said revenue; and the said receiver shall pay the garrison of Serk, and of the castle of Guernsey, when reduced, and the charge of the soldiery belonging to the said islands, by such proportions, and in such manner, as the said commissioners shall limit and appoint.

"And whereas divers of the inhabitants of the said island have sustained great loss by Sir Peter Osborne's beating down their houses with shot from the castle, and have been at great charges in making fortifications against the said castle; and whereas the deputies of the said town of Guernsey have been at great charges in their several voyages and attendances upon the said service, and for the good of the said islands, it is hereby ordered and ordained that the said commissioners may consider what shall be paid and satisfied unto the said persons for their losses, damages, and expenses, to the intent that the same may be presented unto both houses of parliament, and that such sums as both houses shall think fit be paid unto them out of the surplus of the said public revenue, the residue whereof to be managed and disposed of, as both houses shall think fit.

"And it is further ordered, that the whole charge of executing this ordinance, shall be defrayed out of the said revenue by the receiver, to be nominated as aforesaid, who is, from time to time, to be accountable for his receipts and disbursements to the commissioners or such other persons as shall be, by both houses of parliament on that behalf appointed. And the bailiffs, jurats, and other officers of the said islands, as likewise all captains of ships, and all other persons there residing, or repairing to the said islands, are hereby required and enjoined to be aiding and assisting to the said commissioners, their officers and agents.

"And it is lastly ordered, that the said commissioners and all other persons acting by power of, and in pursuance of this ordinance, shall be for so doing, kept harmless and indemnified by power and authority of parliament. (Signed) H. Eleyuge, parliamentary clerk in the House of Commons."

As soon as the commissioners arrived, and were duly installed in office, Mr. Henry De La Marche exhibited articles of complaint against Robert Russell, the lieutenant governor, on which occasion Mr. Peter Carey was called upon to declare whether the statement of De La Marche was true or false. From the deposition of Mr. Carey, which we subjoin, the reader will fully understand the nature of the charges preferred against Russell by De La Marche, which renders it unnecessary to set them forth in detail:

"Peter Carey most humbly declares that Lieutenant-Colonel Robert Russell, has seized part of the means of those individuals named by De La Marche, without the privy of the commissioners of parliament therein, and without having first lodged an information against them, so far as the deponent knows.

"That the said lieutenant has received the whole revenue of the island, and has applied but very little to the ease of the public, though contrary to the intention of the parliament, intimated to the commissioners, and of the Earl of Warwick, our late governor.

"This deponent further says, that the said commissioners bought (they having then the disposal of the revenue of the island) twenty barrels of gunpowder, and a good quantity of match,—maintained a garrison of a captain and thirty soldiers in Serk,—sent divers messengers to the parliament upon urgent occasions,—and generally have paid upon the said revenue all the public charges, without putting the inhabitants to any cost, and without any private profit to themselves. But soon after the arrival of the said lieutenant-governor in the island, he made levies of sums of money by way of taxes upon the inhabitants, to pay the public charges, which oppression of the people, and they seeing that they could not be eased, caused an armed insurrection of the most part of the islanders, which the said lieutenant opposed, and forced them to continue their payments, sending a company of soldiers into St. Saviour's parish, in which opposition two men were slain, and one wounded; which distraction being known to Sir Peter Osborne, governor of the castle, he made use of it, sending private letters to the island for the fomenting of the said division, which, in all probability, would have lost the whole island, if God, by his providence, had not prevented it, the letters being intercepted before they were spread abroad in the island.

"The deponent says, that the said lieutenant has given commissions to sea captains,—that he has seized on the prizes brought into the island, and disposed of them according to his pleasure,—that he has received many considerable sums of money,—and that the soldiers who kept his gate were paid by the inhabitants of the town.

"This deponent knows that many poor people complain against the said lieutenant, for not satisfying them in respect to their wages and services, when they have been employed by him; and others complain that they could not receive satisfaction for necessities furnished by his orders both to himself and the frigates. And for the breaking of his contracts and bargains, the said deponent has writings under his own hand, that will show the truth of this charge.

"This deponent knows that some of the inhabitants who came to watch about the castle to hinder relief being thrown into it, have been disheartened to continue that service, saying they did not receive what the said lieutenant promised them.

"This deponent knows that the said lieutenant hindered as much as he could those that wished to go and complain to the parliament, which constrained some to proceed by way of France, and to others he refused his pass. As to what concerns the complaints of the merchants, their letters are extant.

"This deponent knows but one attempt that the said lieutenant made against the castle, which had very bad success, during which attempt the said lieutenant told this deponent, that he stood at a rock, which is between the island and the castle, called La Vernière."

(To be continued.)

MUTINY AT FORT GEORGE, GUERNSEY, IN 1783.

On the 24th of March, 1783, a most daring mutiny broke out in the 104th regiment, quartered at Fort George, all Irish. They consisted of five hundred men, for they were not joined by the grenadier company, which was stationed at Vale Castle, under Captain Fenwick. The mutineers had been quartered all the winter in the citadel, and although they had at all times been rather troublesome to the country people, they had been kept in tolerable order till the arrival of a few discharged men of the 83d regiment from Portsmouth; but these, it seems, by boasting of their own prowess, and describing the impunity with which they, and in general the soldiery all over England had set the laws at defiance, stirred up a spirit of mutiny, which at last openly broke forth. About the 18th instant, they insisted with their officers that the gates should no more be shut, that they should have liberty to go where they pleased, and, it being peace, should do no more duty; the governor appeased the tumult by granting them their demands. However, the officers, being seated in the mess room, after dinner, the 21st, were alarmed by the whistling of musket balls amongst them, and were forced to creep on their hands to escape the shots, which continued to fly through the door and windows. They were some time in this situation, till, it is said, some of the worst of the rioters getting up stairs into the barrack rooms, for the sake of firing down among them, the serjeant-major advised their immediately running off, which they did, the gates being then fortunately open, and, although several muskets were fired at them, happily escaped except two, who hid themselves in a coal-hole. This was known in town about eight o'clock in the evening, and, at first, it was very much doubted whether the 18th regiment, quartered there, would not join the rebels, or, at least, refuse to join in bringing them to order by force. However, to the eternal honour of the regiment, they proved untainted with the unhappy spirit of mutiny, and turned out to a man; the militia also immediately paraded, and the town regiment was drawn out in as little time as could be conceived, and with the greatest alacrity. The officers belonging to the country regiments set off with the first summons; their orders were, for every regiment to defend its own districts, and to be ready to join the army on the first order; they accordingly patrolled their own parishes, and turned out without the least murmur.

About 11 o'clock the governor marched out with the 18th regiment, commanded by Major Mawbey, and the town regiment of militia; * being arrived at the citadel, without beat of drum, the 18th regiment, with the town grenadiers and light infantry, four pieces of artillery and two howitzers, lined the front under cover of a low hedge, at about 100 yards distance; four of the militia battalion companies guarded the avenues on one side, and the four others were in reserve. A summons being sent, a parley ensued, but the mutineers declared they would on no account lay down their arms; several straggling shots were fired. Messages continued till about four o'clock, when the governor being on the field to parley with some of the deputies, a fire began on him and part of the line by a party which had advanced out of the walls, and the fire continued along the line, without its being known what part of the enemy had sallied. The artillery being in the rear of the 18th, and pushing up, caused them to fall on the flanks, and the ground being confined, caused a momentary confusion, during which several ill-directed shots were fired; however, this was soon over, and the line put in proper order.

Soon after this, the four companies in reserve were ordered to the right, to occupy a commanding ground, and about four o'clock, the rioters seeing themselves surrounded, and hearing the whole force of the island was coming against them, marched out and piled their arms.

It is remarkable that these fellows mounted a regular guard, beat regu-

* Commanded by Colonel George Lefebvre, grandfather of the present Groffier.

larly to arms, and kept up garrison duty, as if they had been under command of their officers.

The authorities and inhabitants of Guernsey, duly appreciating the fidelity of the 18th regiment and the artillery, resolved to give them a public testimony of their gratitude and approbation, and, at a convocation of the States, the following resolutions were adopted:

"At the States of Guernsey, held on the 7th September, 1783, before William Le Marchant, Esq., Balliff; present, Charles Andros, Nicholas Reserson, Peter De Jersey, Eliaha Tupper, John Carey, Thomas Dobrée, James Hubert, Peter Falla, John Guille, and Eleazar Le Marchant, Jurats.—The Rev. Mr. Elias Crespin, rector of St. Martin's, the Rev. Mr. Joshua Le Marchant, rector of St. Peter's Port, the Rev. Mr. Joshua Vallat, rector of St. Peter in the Wood, the Rev. Mr. Daniel Francis Durand, rector of St. Andrew's.—The attorney-general, the constables of the town, of St. Sampson's, of the Vale, of the Catel, of St. Saviour's, of St. Peter's in the Wood, of Torteval, of the Forest, of St. Martin's, of St. Andrew's.

"The States have deliberated and decided:—

"1st.—To return their thanks to the Hon. Paulus Æmilius Irving, lieutenant-governor of this island, for having so happily subdued, without the effusion of blood, about six hundred soldiers of the 104th regiment of infantry, who had mutinied against their officers, and driven them from the fort, by firing loaded muskets at them; and from whose violence the inhabitants had every thing to fear, if they had not been conquered into submission, and forced to lay down their arms by the said lieutenant-governor, who marched against them at midnight, on the 20th of March last, with the 18th regiment of infantry, named the Royal Irish, a company of artillery, and the town regiment of militia and the artillery of the island, whilst the other regiments of the island militia occupied different positions for the protection of the country. The said lieutenant-governor remained all night with the troops in the country, up to the dawn of day, when the mutineers were compelled to submit, after having fired several volleys of musquetry on the said troops and militia.

"2d.—To return similar thanks to John Mawbey, esq., at that time, commanding officer of the Royal Irish, and to the other officers of the said regiment, for the prudence with which they retained their soldiers in their duty, notwithstanding an example so calculated to corrupt them, and for having induced them to arm and march against the mutineers, with as much zeal, alacrity, and diligence, as good discipline.

"3d.—Equally to thank the officers of the company of artillery for the zeal and diligence with which they assembled their men, prepared their guns, and marched against the mutineers.

"4th.—To return similar thanks to the officers of the four regiments of militia, and to those of the artillery of the island, and generally to the said regiments and artillery, for the zeal and ardour they displayed for the common defence, having quitted and abandoned their houses and families in the middle of the night, some to march against the mutineers, others to occupy the posts assigned to them, and for having remained under arms during the whole night, up to the surrender of the said mutineers.

"5th.—To recognize the good services of the privates of the said regiment of Royal Irish, and of the artillery, for the attachment and submission that these said privates and artillerymen showed to their officers; for the good order and good discipline they observed, and for the courage with which they marched against the mutineers—and to vote to the said soldiers one hundred guineas, which sum shall be paid to their officers, to be distributed among them."

THE HERMIT'S PAPERS.—No. 2.

A FEW years ago, the perpetrator of the following slipshod easy nonsense received a pressing invitation to contribute something towards a "Guide to Guernsey:" his reply was, of course, that he felt totally unqualified for the task; yet the oddness of this horrifying proposal gave rise to reflections "*un peu lestes*:" and, as they jingled into Lilliputian trochaics, of their own accord, shall the rhymester presume to release them from memory's dull prison, after so long a durance, for the chance of a passing smile from the Editor of our Magazine?

THE HISTORIAN'S SOLILOQUY.

Arduum videtur res gestas scribere!—TACITUS.

We have toiled, nine years and more,—
Now, thank Heaven, our toils are o'er:
Volumes let who will compose,
Our sensorium needs repose;
Oil hath ebbed, and ink is dry—
Think who will—not I! not I!
Sarnia's hills and vales may shout—
For, the splendid work is out;
Unread—uncut—plates and all—
Flying o'er this earthly ball.
We are already (by report)
The Livy of St. Peter's Port,
Though some stars—(for stars who cares?)
"Shoot so madly from their spheres."
Clio's pensive Hercules
May now take a little ease.

In our pan we stew and fry,
Till they bubble, squeak and cry,
Camden, Selden, Gibbon, Gough,
Flowered with dust that makes one cough—
Tiny Dicey; giant Budd—
The familiar of king Lud;
Every leaf, however scant,
Of the Warburtonian plant;
The fetus of St. Lucia's Hale;*
Heylyn's essence; fluttering Quayle;†
Flavoured with a nauseous Berry,
That skips and *bonasses* till it's weary.

Know that we are Time's gnat-hunter.
—What did Hesiod, that old punster,
Squeak out of his Grub-Street hole?
"The half is better than the whole:"
Still, our volume is a treasure—
Thumping weight! o'erflowing measure!

With our squeezers on our nose,
We have—as every body knows—
Manufactured real prose;
Yet, however dull our strain,
Every toe-tormenting lane;
Amorous pussy's favourite corner
(Such as ne'er found a recorder),
Purling kennel, and sly nook,
Are registered in our book.

In Cow-Lane and Gallet-Heaume,
Reader, we are quite at home.
From the Mill of good Oozanne,
Would a lover of the dawn
Faire un saut du coq à l'âne
To the baths, where he may strip
And, *in puris*, take a dip;
Then survey the world's eighth wonder,
Hear mad ocean's growling thunder,
Where, against a heap of stone,
Spiteful waves their fate bemoan—
Let him trudge on (*quoiqu'on die*),
Mind his toes, and follow me!

Not a flimsy house that Jack built—
Sharer of his mason's gull—
In defiance of Scamozzi;‡
For himself and his queer doxy,
Whither, fondly, side by side,
In their jolting gig they ride,
Is omitted in our Guide.—
"From the church so many miles—
"Roofed with slate or—roofed with tiles—
"Fenced with ordinary pales
"Or—with sharp metallic rails."
Here you may, without ado,
Read thereof a full, a true
And particular account.
Every puny shrub we count,
Tell exactly how they stand,
And the *favour* of the land;
Then the lawful portion settle
Of its ragweed and its nettle,
Split a controverted hair,
And the latitudes compare.
Now, with scale for trying gold,
Such as Moss and Garis hold,
Nicely weigh what wise men deem
Light as alcoholic steam;
Or, on Fashion's gaudy tree,
Ascertain a fool's degree—
Whether knight—squire—gent or shab—
Royal pearmain or wild crab—
Chamontalle or strangle-pear—
Traffic or Judas's ear.

Would a gentle reader learn
Where to stop, and where to turn,
Where—to punish youthful sins—
The trial of toes—ah me!—begins;
That twelve times twelve steps are no more
Than just one hundred and forty-four;
How—to swell the list of marvels—
Stiles are made with giant marbles;§
How the country lazes (mark it!)
Sell rare garden stuff at market,
Now that no weeds their sallad choke—
Thanks to Bailey, Sarnia's Coke!—
For, each parsnip-weeding loat,
Though knee-swaddled in a clout,
Under that Sun's auspicious rays,
Improves his crops and mends his ways.
Such rare knowledge if you need,
Men of leisure, buy and read!
Learn, at least, from one bright page
Of the Pharos of this age,
How, when thirty miles from hence,
Daddy Russel beat the French,
His great name—as old wives tell—
In the little Russel fell:
How a sovereign, once renowned,

* An incomplete, but fearless and valuable compilation.

† Author of a judicious agricultural survey of these islands.

‡ Palladio's merciless rival, and the admired author of *Idea della Architettura universale*.

§ Vernacularly termed *cats*, the O. F. plural of the obsolete *cat*,—a rolling stone.

|| *Sexuaria*? One of the *souverains* is in the battle-roll.

In *Le Dœuil* was dight and drowned;
 When good Avocat *Balcine*
 By a monstrous whale was slain,
 For (methinks we hear his cries!)
 Loving truth, and telling lies;
 How *La Marche*, who rallied at Lent,
 Still to gnol for congers went;
 How, with looks devoutly wild,
 Saints, in her white shroud, reviled
 Some poor lass who caught a child;
 How shuffling Cecil's fine orthodox trap
 O'er Jersey's would-be-Dean cried "snap,"
 When, just under the fifth rib,
 With a dagger, called a stib,
 From that wily part old Rab +
 Snape's dear church received a stab.

In our "Annals" you may see
 Where—a sartong from the sea—
 Tempting cup of washy tea,
 Or of coffee, just as bad,
 For a song, may soon be had,
 Near a fairy-haunted bay,
 Where Naind lassies flirt and play,
 And amorous tritons howl and bellow,
 While some pensive fellow
 Lings Arcadia, looks pedantic,
 Till the ladies grow romantic.

Would you view the Devil's Cave; +
 An old giant's rocky grave;
 Flowery streamlets that meander
 Round the far-famed Alexander;
 Or, in Macey's rattling car,

Bless the no less mighty Sarre—
 Patient reader, we are thine,
 Dig in our exhaustless mine!

ספר גדול גדול רע (A great book is
 a great evil.)

Sepher gadol, gadol rang,
 Quoth Rab Dan, with avai twang,
 Yet our tomes, could he but sec,
 That old ape would mend his key.
 When the world was first created,
 How was Guernsey situated?
 When the deluge left her shores,
 Who there trotted on all-fours?
 Did the yawning alligator
 At Bocquaine and Fermaine cater,
 Or, on Fleinmont eat a caper?
 Did Behemoth roar and graze
 Where the russet heifer plays?
 On Jersey-bridge—I'll quote the roll—
 Whose darling ass last paid the toll?
 A solution, if you need,
 Mount your steed, and read, read, read!

Every wonder,
 Every sounder,
 Every shallow-pated wig,
 Every Patagonian fig,
 Every mighty jot and tittle,
 Every drop of cuckoo-spittle,
 There, in order,
 A recorder,
 Hitherto scarcely known to glory,
 Blazons in immortal story.

GEORGILLUS DRY-AS-DUSTUS.

* "Je demontrai, chaque matin, dans le temple de la ville, que la dixme du poisson étoit de droit divin."—*Mémoire autographe de La Marche, penes me.*

+ Robert Cecil, Earl of Burleigh.

: The ascertained real traditional name of the Torto-Val Cave is "*Le Creux Mayo*," Mayo being a well-known devil of the Indo-European tribes, familiar to Shakspeare's readers. The English bard calls him *Mahu*; perhaps the giant of the waters MAYO, Syriac.

FELLOWSHIPS AND SCHOLARSHIPS AT OXFORD.

On the 27th of June, 1635, three fellowships were founded by king Charles the First, at Oxford, for the benefit of students from Guernsey and Jersey. The following is the substance of the act of donation:—

- 1.—The donation consists of seven houses and two gardens.
- 2.—Also a cottage, with 123 acres of land, of which 52 are meadow, and 51 pasture, and 205 acres wood, to be enjoyed in perpetuity.
- 3.—The revenues are divided into equal parts between the colleges called Exeter, Jesus, and Pembroke.
- 4.—The fourth part of each proportion shall be appropriated to the general use of each of the colleges, and the remainder shall be applied to found three fellowships for the students of Guernsey and Jersey.
- 5.—After a suitable residence, the fellows shall return to their respective islands to serve God in the church, if becoming situations offer themselves.
- 6.—The king reserves to himself the first presentation.
- 7.—The mode of electing the fellows defined.
- 8.—The heads of the colleges shall notify to the deans and jurats of the islands every vacancy, that they may nominate a successor. Until the vacancy be filled up, the revenue of the fellowship shall belong to the college. On the 11th December, 1678, king Charles the Second addressed the following order to the Bailiffs, Deans, and Jurats, of the islands of Guernsey and Jersey:—

Trusty and well-beloved, we greet you well. Whereas our royal father of happy memory, for the encouragement of learning in our islands of Jersey and Guernsey, did found and endow *three* fellowships in our university of Oxford, to be from time to time supplied by persons *born* in our said islands, and upon all vacancies to be nominated by you, the bailiffs, deans and jurats

of the said islands, under such rules and limitations as, by his charter of foundation, it doth more at large appear. And whereas the present lord bishop of Winchester, for the aforesaid end and purpose, has lately founded and endowed *five* scholarships in the said university, to be, from time to time, in like manner, supplied by the nomination of you, the bailiffs, deans, and jurats of the said islands, and under the like rules and limitations as above mentioned. For the rendering both foundations most subservient to their designed end, our will and pleasure is, that in the nomination of fellows into places which shall hereafter be vacant, such shall be preferred as have been formerly nominated to their respective scholarships, and have, by their good carriage, and improvement in learning, fitted themselves for the employments which belong to fellows in their respective societies, and given hopes of their future proficiency. And we bid you, farewell. Given at our Court of Whitehall, the eleventh of December, 1678, in the thirtieth year of our reign. By his Majesty's command, (Signed) HENRY COVENTRY.

On the 4th of May, 1678, in the reign of Charles the Second, a charter, or indenture of foundation for the scholarship, was granted, of which the substance is as follows:

1.—George Morley, Bishop of Winchester, founds *five* scholarships at Oxford for the islands of Guernsey and Jersey.

2.—This he does for the encouragement of virtue, education, and the advancement and propagation of true religion in the said islands, forming part of his diocese, and with the intention of animating the said scholars to qualify themselves to be advanced to the rank of fellows.

3.—The sum vested in the Dean of Christchurch, and the Chapter of Pembroke, for this purpose is sixty-eight pounds, eleven shillings and nine pence sterling.

4.—The dean and the chapter shall receive, annually, sixty pounds sterling, the remainder being otherwise disposed of.

5.—Five scholars of the college of Pembroke, natives of the isles of Guernsey and Jersey, shall each receive ten pounds sterling out of this donation; and the said scholars shall be called, Bishop Morley's Scholars.

6.—There shall be paid to the principal of the college forty shillings per annum, for the apartment of each scholar.

7.—The revenue of vacant scholarships shall be applied to the use of the said college of Pembroke.

8.—The engagement of the college to receive the five scholars is thus worded: "That they, the said master, fellows and scholars, and their successors, shall and will, from time to time, and successively, for ever admit and receive into the said college, five scholars, born and to be born in the said islands of Guernsey and Jersey, to be called Bishop Morley's Scholars."

9.—The dean, bailiff, and majority of the jurats of the respective islands, shall nominate the scholars.

10.—Three of the scholars shall be natives of Jersey, and two of Guernsey.

11.—A scholarship shall be vacated by death, resignation, promotion, removal; and always after the lapse of ten years.

12.—Thirty days after a vacancy, notice shall be given to the dean, bailiff, and jurats, that they may supply it.

13.—The scholars must be duly qualified before election.

14.—The scholars are not to retain the appointment longer than ten years, nor after having obtained a living, or any other emolument; and they are to be resident in college.

15.—They may obtain permission to travel in France.

16.—But they shall solemnly promise to return to the islands there to serve the public, as preachers, or schoolmasters, or otherwise.

17.—At the age of twenty-one, each scholar shall solemnly bind himself, before the dean and the bailiff, in a penalty of two hundred pounds, to fulfil his engagements. Such as refuse, shall not be admitted.

18.—Such as have attained the age of twenty-one, and refuse to ratify their promise, shall be deprived of their appointment.

The above document or indenture is signed GEORGE WINTON.

CHARTERS, &c. ON THE NEUTRALITY OF THE ISLANDS.

These articles may be considered as a supplement to the article "On the Commercial Privileges of Guernsey," published at page 363, of our first volume, to which we refer the reader for further particulars. The following are the principal documents relating to the subject of neutrality:

1.—The bull of Pope Sixtus the Fourth, dated 1483, touching that privilege enjoyed by the islands, and embodied in an Inspecimus of Henry the Eighth.

2.—The permission of Charles the Eighth, king of France, to publish the bull of Pope Sixtus the Fourth, in France, and his own order commanding the neutrality of the islands to be respected. Given at Senlis, 2nd August, 1486.

3.—The protection accorded by Louis, the bastard of Bourbon, to the inhabitants of Guernsey. Given at Valognes, the 25th of February, 1472, and addressed to the admiral commanding at Honfleur.

4.—The permission to publish the bull of Pope Sixtus the Fourth in the duchy of Brittany. Francis, by the grace of God, Duke of Brittany, Earl of Montfort, &c. causes to be published the bull of neutrality, in favour of the inhabitants of Guernsey, throughout his dominions, according to the Act passed at Rome on the 20th November, 1484. Signed by the duke in his council.

5.—Guy, Earl of Laval de Montfort and Quentin, Viscount of Rennes, Lord of Virry de la Roche and Aquigny, governor and lieutenant general for the king in Brittany to our dear and well beloved the senechal and bailiff of Morlaix, greeting, &c. The substance of this letter was to the following effect:

A barque from Guernsey had been captured by a privateer out of Morlaix. The letter states that, although Guernsey is an appendage to the English crown, she is, nevertheless, neutral. It then orders the release of the islanders, and the restitution of their effects; but the English who were on board, and their merchandize, are declared good and lawful prize.

6.—An act of the royal court, of Guernsey, dated 17th February, 1586, declares that four French vessels have been seized by the governor.—By another act of court, dated 20th of February, 1586, it is declared that the governor releases the two barques from St. Brieux, but refuses to release the two others, because they are laden on Spanish account.—By another act of court, dated the 22nd February, 1586, it appears that the governor again seized on the two barques from St. Brieux, whereupon the crown officers were ordered to answer for the governor.—By another act of court, dated the 23rd February, 1586, it appears, that the crown officers replied that they had not advised the governor to seize the barques, and had no justification to plead on his behalf; whereupon the court ordered the sails of the barques to be restored, and pronounced the arrest of the governor null and void.—By another act of the court, dated 24th February, 1586, it appears that the governor prohibits the sheriff from interfering in the matter, and refuses to obey the sentence of the court.—An act of the court, dated 25th February, 1586, orders deputies to proceed to his Majesty in council, in the name of the island, to obtain redress in this affair.—On the 26th of June, 1587, the court communicated the correspondence of the lords of the council, which ordered Sir Thomas Leighton, governor, to release all the French vessels, on their giving bail for the Spanish merchandize, and he was further commanded to abstain from any act contrary to the privileges of the island. Their lordships further stated, that the subjects of foreign princes might trade under a licence from the governor. Signed at the court of Greenwich, 11th June, 1587.

Another order of their lordships, addressed to the court, commanded the release of a French vessel, with the consent of the admiral; also dated 11th June, 1587.

Another order of their lordships, dated Whitehall, 11th September, 1667, commands the release of a French barque, laden on Guernsey account, which was captured on its voyage from France to Guernsey, and carried into Dartmouth.

At the court of Hampton, the 8th of August, 1699; present the king, &c. prince George of Denmark, &c. It was ordered that all trade should cease with the king's enemies, but without any intention to curtail the privileges of the inhabitants of the islands, the said order being only suspensive and temporary, in consequence of treaties concluded with his Majesty's allies. But as this order did, in fact, utterly put an end to the neutrality of the islands, it may interest our readers to peruse it at length. It runs thus:

"Whereas on the 30th of May last, his Majesty in council was pleased to order, that their Majesty's proclamation, bearing date the 14th of the said month, for prohibiting the importation of any commodities of the growth and manufacture of France, should be forthwith sent to the bailiff and jurats of the islands of Jersey and Guernsey, who were thereby required to cause the said proclamation then sent unto them, to be there published, and strictly observed and put in execution:

"His Majesty in council is this day pleased to declare, that (being at this time strictly obliged in his treaties with his allies and confederates to prohibit in all his dominions all trade and commerce whatsoever with France) he does not think it fit or expedient to dispense with the execution of the said order in this present and extraordinary juncture of time; yet, that it is not his Majesty's intention in any manner whatsoever to revoke or infringe any privileges that may have been granted by his royal predecessors to the inhabitants of the said island of Guernsey. (Signed) RICHARD COLLINGS.

ORDERS IN COUNCIL DURING THE REIGN OF QUEEN ELIZABETH.—No. 1.

The domestic and internal history of Guernsey, embracing the prerogatives of the governor, the authority of the bailiff and jurats, the jurisdictions of the royal court, the discipline of the church, the privileges and immunities of the inhabitants generally, together with the laws and customs of the island, is almost entirely contained in ancient charters, extents, and orders in council. These are difficult of access to the majority, while they are so voluminous as to deter from their perusal many within whose reach they fall; yet are they replete with valuable information, not simply of antiquarian research, but as unfolding the origin of very many usages which still have the force of law, as explaining the cause of several local imposts in the several parishes, and developing the rise and progress of our insular constitution. If we rightly appreciate the wishes and feelings of our readers, we hope that we have not undertaken an unprofitable or ungrateful task, in arranging these documents in a condensed form, attempting to present them with the kernel of the nut, after throwing away the husk. We are not aware that any such attempt has yet been made, but we trust that the novelty of the design will arouse curiosity, rather than provoke indifference. A professed scholar will never rest satisfied before he has studied the history of the world; but every man, however slight his patriotism, must feel desirous to ascertain the history of his own country. To gratify that desire among the natives of Guernsey in particular, we have drawn up a series of papers, to put them in possession of all the memorable acts of their forefathers, which will be published in consecutive numbers of the Magazine, and we commence this department of our periodical with an order in council of Queen Elizabeth, dated Westminster, 11th March, 1568.

Preamble. Whereas complaint has been lately made to the lords and others of the Queen's Majesty's Privy Council by letters, as well from Francis Chamberlayne, esq., captain and governor of the isle of Guernsey, as from the bailiff and jurats of the said isle, of divers quarrels and troubles lately grown between them concerning certain grants, confirmations, and other

matters of controversy, wherein either party desired that redress might be had, to the pacification and good quiet of that isle, and of the inhabitants of the same. As their lordships did not think it fit, for many good reasons, to suffer any such strife and disunion to be any longer nourished, especially among such as ought chiefly to join together in good concord for the well governing of the charge committed unto them, so for the better ending and quieting of the said differences, and establishing a perfect unity between the said captain, bailiff, and jurats, and others the inhabitants of the said isle: their lordships did not only hear the substance of the matter briefly declared before them by such as were sent hither for that purpose, but committed also the further particulars of the same to be heard at good length and reported unto them by the reverend father in God the bishop of London, and Richard Onslow, esq., the Queen's Majesty's solicitor general, who, by their lordship's appointment, heard what each party could allege for themselves, and having thereupon informed the said lords of the council of the whole state of the cause, their lordships; upon the full hearing and deliberate consideration thereof, by conference with the parties that were sent from the said isle have, for a first resolution, taken such order as followeth:

1.—It is by their lordships thought necessary that, before all other things, the captain, bailiff, and jurats, forgetting all private or public quarrels, shall reconcile themselves, and join together in all good friendship and concord, whereby they may, with more convenience, each of them attend their several charges, in which also special respect is to be had that the said captain, and the Queen's Majesty's principal officers there, be chiefly regarded, obeyed, and esteemed, in such degree as to the place he holds, does belong, and enjoy such rights and privileges and other duties, as other captains holding his place have heretofore lawfully had and enjoyed, and by the prerogative of his office do appertain unto him, and therein to be assisted and maintained by the said bailiff and jurats to the best of their powers, who, also in their order and place, are likewise to have that reputation and obedience given unto them, that belongeth to their office and calling.

2.—It is also further ordered that the bailiff and jurats of the said isle may lawfully, at all times when need shall require, visit the state of the castle and fortifications there, in such form, and for such purposes and intents as are comprised and declared in their liberties and privileges, having, in the doing thereof, good regard by all gentle means to exhort, advise, and persuade the Queen's Majesty's loving and obedient subjects there to continue their endeavour and good will for the transporting and carriage of some sand, and other necessities, at convenient days and times, as heretofore of late they have done, to the furtherance of the fortifications of the said castles, and security of those isles.

3.—That the commission lately procured by John Chamberlayne concerning matters of account to be taken there of sundry persons, be forthwith put in due execution according to the tenor and effect of the same, to the end that certificate may be duly made thereof unto their lordships, within such time as is limited by the said commission.

4.—That all grants and confirmations of privileges from the Queen's Majesty and her progenitors, shall always inviolably be observed, maintained, and kept in force, with the credit of the bailiff and jurats to be obeyed in all their ordinances made, and to be made, for the government, security, and quietness of the said isle, and that no officer or minister of justice be at any time hereafter resisted, impeached, or imprisoned, for executing the sentences, ordinances, and constitutions aforesaid, but be maintained and assisted according to the laws, usages, and ancient customs of the said isle.

5.—It is ordered that the salthouse, the weights, and the common pastures, shall henceforth be used and applied by the captain or his farmer, according to the privileges and ancient customs used time out of mind there. And if any question or difficulty shall happen to arise touching those matters, the same shall be tried before the bailiff and jurats, as well by ancient records, as by the depositions of honest persons indifferently chosen, according to the laws, usages, and ancient customs of the said isle.

6.—That Edmund Ectur shall voluntarily resign the office of procureur, according to his submission in that part, and the captain shall, within one month next after the arrival of the said Ectur in the said isle, name and appoint another procureur in his stead, having always special regard, as far as in him shall lie, that no officers or ministers of justice be nominated or admitted in the said isle, for or in the name of the Queen's Majesty, other than such as will faithfully and willingly further the ordinances of justice, and maintain the same, as the necessity of the time shall require.

7.—It is ordered that the Queen's Majesty's letters to the bailiff and jurats, touching the separation for ever of these islands from the diocese of Constances, and to be perpetually united to the diocese of Winchester, shall not from henceforth be brought into any question, but shall be followed and executed according to the tenor and effect of the same. And the reverend father in God, the bishop of Winchester, being presently constituted ordinary in the said isles, and his successors, shall, from time to time, execute that charge, and upon presentment from the Queen's Majesty, or the captain, shall institute, induct, and authorize the deans, ministers, curates, and schoolmasters, such as may be by his good discretion thought meet to execute those charges, according to the language, country, quality, and disposition of the people there, and as best may be for the advancement and maintenance of God's holy word and glory in the said isles, foreseeing always that neither the dean for the time being, nor any other ecclesiastical officer within the said isles, shall innovate any thing, nor take, nor execute, any more directly or indirectly, for probations of testaments, amerciaments, or such like, than only such duties or sums of money as have been heretofore anciently accustomed to be paid in the said isle in that behalf; neither shall the said dean compel any of the inhabitants of the said isle to repair into England for any ecclesiastical cause, but that the same may be determined there, by commission, unless it be by assent of both parties, according to the ancient usages of the isle.

8.—The school house at the Friars in Guernsey, founded and rented, (query, endowed with rent?) by the Queen's Majesty, shall be forthwith put in order for the purpose appointed, by the consent of the captain, in the presence of the bailiff and jurats, and of his brother George Chamberlayne, as in effect appears by the schedule hereunto annexed.

9.—It is ordered that the bailiff and jurats shall not omit upon any cause the administration of justice, according to the ancient laws and customs there.

10.—It is further ordained that all controversies or mislikings that shall at any time hereafter chance between the captain, bailiff, and jurats, shall forthwith be advised upon, and be considered at some time and place to be appointed by the captain, where, by mutual conference, they shall quietly appease and reform all controversies or mislikings; so each of them being aiding and assisting to the others, they may not only avoid the inconveniences and dangers that might happen from the contrary, but be also the better able to attend their charge, and see to the observation of such good constitutions as shall be by them established, as well for the good government and defence of the isle, as for the continuing the inhabitants of the same in good order and obedience. And in case any such disorder should fortune to fall out, as may not be well compounded and redressed amongst themselves there within the space of forty days, that it shall then be lawful for any that will do the same to repair over hither to seek for reformation thereof by means of the lords and others of the privy council here, without any let or restraint.

11.—As touching the imprisonment of the dean and jurats, the same is ordered, at this time, to be passed over, and each party to bear their own charges; nevertheless, it is also therewithal ordered that the captain shall not hereafter imprison any person of the said isle, without the order of justice, unless it be for martial matters and farms, in which cases the captain has been accustomed to punish offenders.

12.—Whereas it has been informed that certain sums have been exacted and taken for the charges of Louis Devic, Peter Hamelin, Richard Fever, and Newell Lishowe, popular procureurs against the bailiff, jurats, and dean; so much as the same money appears to have been levied on church goods, and amongst the common people, it is ordered that, because the said parties have produced no just cause of grief in any of these matters before mentioned, the captain, bailiff, and jurats, uniting themselves, shall call together such as have levied the said money, and cause the same to be by them restored unto the churches and people from whom it was had, in such sort as shall be convenient.

All which articles before mentioned their lordships commanded not only to be entered into the council book, to remain of record, but also gave order that the same should be enrolled in the chancery, and the copies thereof subscribed with their lordships' hands, to be severally sent as well to the captain as to the bailiff and jurats of the said isle, with commandment in the Queen's Majesty's name to keep and observe the same.

COMMERCE OF JERSEY.—No. 2.*

THE population of Jersey, compared with its extent, is so large, that the country cannot produce sufficient for the supply of its wants. If a proportion should be maintained between the population of the town and the extent of the country, the former has certainly outgrown itself, for, if it depended solely upon the country parishes for a supply of meat and agricultural produce, the allowance to each inhabitant would be very small, and not sufficient to sustain life. The island is therefore under a necessity of importing oxen, sheep, wheat, and other articles for its consumption. The importations from France were:

Years.	Live Oxen, from France.	Sheep, mostly French.	Live Poultry, from France.	Eggs, from France.
1829.....	1920 heads.....	5070 heads.....	16811 heads.....	6929
1830.....	1947 ".....	4207 ".....	14814 ".....	11888
1831.....	2413 ".....	4307 ".....	10994 ".....	8300
1832.....	2497 ".....	5197 ".....	16907 ".....	12337
1835.....	2784 ".....	6602 ".....	28821 ".....	11634

long
hundreds.

There was also imported for home consumption :

Years.	Lambs.	Green Fruit (French).
1829.....	894 heads.....	18 tons.
1830.....	709 ".....	33 "
1831.....	666 ".....	51 "
1832.....	944 ".....	36 "
1835.....	1243 ".....	40 "

The foreign wheat, barley, and oats, imported, are principally from the Baltic. The importations of these were as follows :

Years.	Wheat.	Barley.	Oats.
1829.....	16820 quarters.....	5288 quarters.....	1705 quarters.
1830.....	21660 ".....	2659 ".....	1032 "
1831.....	12095 ".....	2395 ".....	1623 "
1832.....	20545 ".....	3241 ".....	1789 "
1835.....	22914 ".....	2369 ".....	2634 "

* The tables in this article may be depended upon as accurate, as they have been drawn from official sources; those of the imports and exports have been made up from the books of the custom-house, through the kind permission of the officers of customs in Jersey.

Of the above foreign wheat there was exported *as such*—a distinction to be remembered—

Years.	Wheat.
1829.....	2188 quarters.
1830.....	6232 „
1831.....	2177 „
1832.....	3273 „
1835.....	1701 „

Although the importation of provisions is so considerable, it does not operate against the Jersey farmer, who directs his industry into other channels equally advantageous. Jersey is not a grazing country, and therefore not suited for the rearing of cattle and sheep: it could not supply them so cheap, even if it could in equal numbers, as they are procured from the neighbouring shores: and the difference in cost—a principle which should never be forgotten—is a gain to the consumer. The same remark applies, to a certain extent, to wheat, which could not be produced at so moderate a price as in the Baltic, owing to the greater value of land here. On the subject of the wheat trade, I shall make a few observations presently. It may now be perceived that freedom of industry prevails, and that the cheapest market is the one resorted to for supply. The attention of the Jersey farmer is principally directed to the growth of potatoes and apples, the making of cider and butter, the cultivation of wheat and the rearing of heifers. In my previous article, I noticed the exportation of most of these. Of Jersey butter, which is much esteemed, there is a tolerable large quantity exported to England:

Years.	Butter.
1829.....	24760 lbs.
1830.....	25129 „
1831.....	36196 „
1832.....	21912 „
1835.....	2962 „

Latterly the export has diminished, owing to the increased consumption of the island.

It may be supposed by some persons that so small a spot of earth as Jersey could not produce so much as the tables exhibit; but an inquiry into the subject, and into the causes of the productiveness of the country, would amply convince a sceptic of the truth of the statement. I shall mention a few facts illustrative of its large production, and then rapidly glance at some of the causes to which it may be attributed. The quantity of apples and cider produced will not be disputed, when it is stated, that about one quarter of the arable land is estimated to be occupied by apple trees. Of potatoes, the usual produce is nine cabots a perch, which are 360 cabots, or 14,400 Jersey lb. per vergée, equal to 35,000 English lb. per acre.

Of wheat, I am enabled, from official tables, to offer a statement of the whole quantity produced, and the extent of land on which it was grown, during the years 1829 to 1833 inclusive. We shall thereby be enabled to calculate precisely the number of bushels grown per acre throughout the island. The crop of wheat, in 1829, on 5593 vergées, was 12380 quarters.

1830 „	5487 „	„	„	12319 „
1831 „	5823 „	„	„	13069 „
1832 „	6069 „	„	„	14055 „
1833 „	5734 „	„	„	12675 „

28706 vergées. 64498 quarters.

There have, therefore, been 64,498 quarters or 515,984 bushels of wheat produced on 28,706 vergées of land; or, reckoning the English acre at 2½ vergées, on 12,768 acres. The proportion to each acre is forty bushels. Now, this is taking into account all the wheat grown in the island, and not

that on any particular spot; for in some parts the produce has been upwards of sixty Winchester bushels per acre. The average produce in England is estimated by some at twenty-one bushels, and by others at twenty-four bushels per acre.

It may not be unimportant also to add a statement of the production of barley during the same period, which was, in

1829, on 1747 vergées, 3041 quarters.	
1830, „ 1782 „	3153 „
1831, „ 1890 „	3126 „
1832, „ 2063 „	3670 „
1833, „ 1781 „	3148 „

9263 vergées. 16138 quarters.

The crops have, therefore, amounted to 16,138 quarters, or 129,104 bushels, on 9,263 vergées, or 4,117 acres,—equal to 81 bushels per acre. No barley, or but a very trifling quantity, is exported from the island, it being all required for home consumption.

There has been a great clamour raised in England by a few interested individuals against the privilege enjoyed by the Channel Islands of exporting their wheat to England free of duty. That privilege, as many others, has been acquired by the attachment of the inhabitants to the crown, and services to Britain. The principal reasons alleged for the withdrawal of this privilege were, that it operated against the English farmer, and that much fraud was committed, from the lower price of foreign corn. The former of these objections will fall of itself when a comparison is made between the consumption of wheat in England and the exportation from the Channel Islands; for, if our exportation can lower the price in England, it must bear a large proportion to the consumption. The daily consumption of wheat in England has been estimated to be 35,714 quarters. I am not aware what was the exportation of wheat from Guernsey,* but it is most probably less than ours: that of Jersey wheat from this island to England was, in

1829.....	64 quarters
1830.....	904 „
1831.....	1248 „
1832.....	1903 „
1833.....	3903 „
1834.....	3767 „
1835.....	2990 „

14779 quarters.

The aggregate quantity of which, during seven years, is only about two-fifths of the daily consumption in England. It must, therefore, be quite evident, that the exportations from the islands cannot operate to lower the prices in that country; and the tables likewise overthrow the argument that more is exported than grown. Jersey wheat is required and employed in England principally for seed, and, therefore, is of benefit to the farmer there. The true causes for complaint of the English farmer, do not rest on bases so futile; they lie deeper: they are to be attributed to the effects of the last war, and to the strangling embraces of the corn laws, whereby rents are higher than they would be in a natural state of things, and the market more limited. The more natural are the channels of commerce the better, and a free trade in corn is as desirable as a free trade in any other commodity—and even more so, because corn is of a more general consumption, and is an important necessary of life. The evils to be encountered in reverting from

* During the five years ending 5th January, 1834, as declared before the Committee of the House of Commons, the exports from Guernsey were as follows:

	Guernsey.	Foreign	Total.
Wheat.....	539 quarters.	6,374 quarters.	6,913 quarters.
Barley.....	86 „	1,051 „	2,037 „

an artificially regulated, to a natural channel of trade, should teach a lesson on the evil of establishing systems, or encouraging peculiar branches of trade beyond their natural extent, or against their natural direction. In England, "it is the exclusion, not the introduction, of foreign corn, that has caused the distress of the agriculturists," says justly MacCulloch; and the temporary evils anticipated, and which would arise from the affording greater facilities for the importation and consumption of foreign wheat, are the barriers which oppose themselves to the abolishing of the present corn laws in England, injurious though they be to the consumer.

It has been alleged that much fraud exists in the corn trade of Jersey with Great Britain, and that large quantities of foreign wheat have been exported from the islands to England, as of their own growth. It would not, perhaps, be correct to say, that no fraud whatever has ever taken place, but it can have been only to a very limited extent, from the great precautions which the local legislature has taken in order to prevent it. Every farmer who sells wheat for exportation, must declare upon oath, before a magistrate, that it is the growth of his own land, and that he has shipped it on board of the vessel named in the certificate. When we consider the great number of affidavits required, before even a small cargo can be made up, owing to the trifling quantity which is sold by each farmer,—in some cases less, in others a little more, than a quarter; we shall find it difficult to believe that so many persons would willingly perjure themselves in order to acquire a small pecuniary advantage; and the exporter cannot easily ship foreign wheat instead of that which he purchases of Jersey growth, as each farmer who sells it, as I have mentioned, declares upon oath on board of which vessel it has been shipped; and, at the custom house, no clearance is given till all the certificates are brought in and the aggregate quantity agrees with that declared by the buyer or exporter. It has sometimes been stated, on the other side of the water, as a proof that fraud is committed, that it is easy to perceive the difference between Jersey and foreign wheat, and that, occasionally, some of the latter has been seen in parcels declared to be of the former. *But the desire of believing a thing is often the only reason for believing it.* It happened, when the deputies from the islands were in London respecting the corn question, that it was confidently asserted that a portion of a small cargo of wheat arrived from Jersey at Plymouth, as Jersey wheat, was of foreign growth, from the difference of appearance. It was a favourable opportunity to confute either the deputies or the accusing corn-factors, before the committee of the House of Commons; fortunately, the same Jersey farmer who had sold that wheat, thus supposed to be of foreign growth, had yet some of the same quality in sheaf, and he was requested to proceed without delay to London, with a sample of his wheat in sheaf, to expose the fallacy of the accusation, which was done fully to the satisfaction of the committee. In order to render the commission of fraud still more difficult, the States of Jersey are occupied with the framing of a law to compel every farmer to prepare and give a yearly statement of his land, on which wheat is sown, and of the quantity produced,—to be repeated also on the affidavit to be passed for the sale, whereby an effectual bar will be placed to the sale for exportation, by a farmer, of more wheat than his land produced.

But if we are to be regarded in a custom-house view as foreign, surely a spirit of reciprocity should be maintained; for our large importations of manufactured goods from, are far greater in value than our exportations to, England; and, as there are and can be no duties on the importation into the Channel Islands of British goods, neither should there be in England on their products for exports.

But, however, a narrow commercial spirit of some parties in England would wish to consider us as foreign, which, we must acknowledge, has not been that of the British government at any period, we wish to be considered as English; and that feeling is not of a recent date; it existed at the time when Normandy was wrested from England; it existed at subsequent times,

and manifested itself strongly in all the wars which England has waged with France; it was alive when Peter Heylin visited the island, in 1656, and so struck him, as to draw forth the remark that, "the natives of Jersey can, with no patience, endure to be accounted French, but call themselves by the name of English-Normans. So much doth liberty, or at the worst a gentle yoke, prevail upon the minds and fancy of the people." It was in a proper spirit and from good causes, that Edward first conferred on the natives of this island, the privilege of being considered as English in all parts of his dominions. Though we live under our own laws, elect most of our own rulers, speak the old Norman language, and appertain to the crown of England, we glory in the name of Englishmen; and, as Englishmen, we naturally wish to participate in the advantages of Englishmen, which we do to a very considerable extent, and of the markets of England. If a duty were levied on Jersey produce, imported into England, it would be a measure of incalculable injury to the island, without being productive of proportional advantage to England; a severe blow would be struck, which, far from benefiting England, would be injurious to several classes there, for if we cannot sell, we cannot buy; and, "whatever accession of strength the Channel Islands can attain," says Campbell, in his Political Survey of Great Britain, "must redound to our security, (i. e. of England,) and whatever augments their wealth, must turn finally to our profit."

For our agricultural produce, England is the most extensive market, as will be apparent from the following statement of our exports to Great Britain, during 1835, compared with that already given of the total exports:

Cows and Heifers.....	1135 heads.
Potatoes.....	3763 tons.
Wheat.....	2900 quarters.
Apples.....	131,770 bushels.
Cider.....	402,443 gallons.
Pears.....	2938 bushels.
Grapes.....	4638 lbs.

The chief causes of the productiveness of Jersey, are, the fertility of its soil, the mildness of its climate, and the division of landed property. The first of these is increased by the facilities enjoyed of procuring manure at a comparatively low rate, and from the short distance and little expense of transport; this, combined with the second cause enumerated, supplies a rich fund for productiveness; but the third co-operates most powerfully, and claims a few observations. Cheapness of production being one of the objects aimed at by the political economist, has led, or rather misled, a few to the conclusion that large farms were of far greater advantage than small. This conclusion has been drawn from a consideration of the less expense incurred to cultivate one thousand acres of land, for instance, by one proprietor or farmer, than it would be if those one thousand acres were divided between one hundred, fifty, twenty, or even ten farmers. I will readily grant, that the expense for cultivation will be less on a large estate than on the same quantity of land divided between several farmers; but I will not admit the usual conclusion that, therefore, the production will be larger or even universally cheaper, and the public weal and public wealth more augmented. When land is much divided, production becomes much larger, for every inch will be cultivated; the greatest care will be devoted to it; every possible means of increasing its value and productiveness will be employed; the proprietor will bestow much industry upon it; he will not require many labourers, and those whom he may employ will be under his own immediate inspection, and will, consequently, be as laborious as himself. "A small proprietor," says Smith, with perfect truth, "who knows every part of his little territory, views it with all the affection which property, especially small property, naturally inspires, and who, upon that account, takes pleasure not only in cultivating but in adorning it, is generally, of all improvers, the most industrious, the most diligent, and the most

successful." If any doubt could be entertained of this, the state of the Channel Islands would dissipate it. The country is like a garden, rich in productions, and replete with manifestations of a pervading industry. What I have said of its productions, especially of wheat, will abundantly testify of this. Then remember its apples, its cows, its butter, and its other agricultural products. View the care which is taken of every particular; view the improvements daily progressing, and the comfort which hovers around you. Then compare this small spot with any other of an equal extent in a large country, even with its boasted advantages of large farms, and you will not hesitate to pronounce the superiority of the former in extent of production, in greatness of population, and in the happiness of that population.

Small farms tend to increase national wealth more than large farms, in another respect. In the former, besides the greater production, there is more economy in the expenditure, and greater savings by the peasantry; in the latter, there is more unproductive expenditure and less saving. A large proprietor will spend much of his revenue uselessly, without any return; not so the small proprietor; and Jersey again offers an instance of this, in the frugality as well as the industry of its country population. Indeed, the two usually travel together and support each other. Inglis, who was more or less prejudiced against the people of Jersey, complains much of their frugality, which he called avarice, and adduces some distorted facts in support of his opinion. But he gave to a virtue the name of a vice, and unjustly so, as may indeed be proved by the following extract from the same work: "Although it be true that these traits, i. e. independence and avarice, are sometimes offensive, we scarcely can quarrel with that which presents to us a population without paupers, and among which there is no man who does not feel himself above the contempt of the proud and the sneer of the rich." If economy produces this effect, should it be spoken of with a sneer? and if the people are not such fools as to expend all their earnings and profits uselessly, should the feeling which guides them be taunted as a vice? It is economy which, next to industry, preserves and augments the wealth of a country. It is a false notion that what is saved by economy is so much withdrawn from the circulation and wealth of society; for what is saved is more profitably spent, and actuates more industry—and industry of the best and most lasting nature, that which is reproductive—than that which is squandered away.

The comforts enjoyed by the country population of Jersey are attained by their continued industry and by their economy. Their individual earnings and profits are small, for their possessions are small, varying from one to fifteen acres, though of course some are larger. It must, therefore, be apparent that the fortunes cannot be large, even although the productions are so, and that, in order that comfort should continue as an inmate in the cottage, prodigality must not stalk around its walls. The virtues of economy and prudence are characteristic of Jerseymen, which are fostered by the division of property, and accompanied by an honest independence of feeling. The influence of the same causes produces the same effects universally. When I was, a few months ago, travelling on the borders of the Loire, in answer to my inquiries relative to the smiling productiveness of the land in Anjou and Touraine, the usual answer which I received was that land was divided in small parcels; and with respect to the condition of the people, it was: "*Ici nous ne sommes ni très-riches ni très-pauvres, mais nous sommes contents et nous vivons bien.*" The houses of the country people there are thickly studded; they are remarkable for their neatness, and indicative of the ease and comfort of their possessors; they are far superior to those which meet the eye in Normandy and Brittany, where land is not so much subdivided; in the former, besides being in greater number, they are built of white sand stone, and no miserable mud cottage, with a heap of dung and filth lying before it, presents itself, as in Normandy or Brittany.

Bulwer has also noticed the different effects produced in France by large and small estates, and the following extract fully confirms my preceding

observations: "In the northern departments of France, where land is *less* divided than in general, and cultivated with larger capitals, there is by far the greatest number of indigent; and in the towns of this division pauperism has even risen to an alarming extent. 'Here,' says M. Villeneuve, 'the poor consist of workmen, ignorant, unprovided, brutified by debauchery, or enervated by manufacturing labours, and habitually unable to support their families.' These statements are curious, for they corroborate much that we find in England, shewing that in France also the greatest misery is frequently to be seen in those spots where wealth is on the most rapid increase."

Admitting, for the sake of argument, that large farms were more productive and economical than small ones, we must not confine our observations solely to this point of view, but we should consider the moral influences of either. The agriculturists necessarily form a large portion of the population of every country, and the means whereby they can be rendered happy and independent, when that does not interfere with the interests of the other industrious classes of the community, should be deemed worthy of attention. The power of a country, whether its material or moral power, is based on a large, intelligent, and happy population, to whom industry is a companion, who live by their labour, and have what they can call their own, and improve it by care, perseverance, and attention. It is always a source of satisfaction to the proprietor, to view his spot of earth, however little it may be, though it exceed not an acre of land; and it engenders a feeling that he is not totally dependent upon others; that he is of a moral value, a citizen attached to the land of his birth, in whose prosperity, and in the maintenance of whose laws, its peace and tranquillity, he has a deep interest; for war, anarchy, and the silence of the laws, would endanger his little all—that little which is dear to him, which, with his industry, supplies his wants and those of his family—and might end in his ruin, and the consequent misery of the domestic circle. "*Ce petit champ me suffit*," said the French chancellor de l'hôpital; "*je trouve plus beau de le cultiver moi-même que d'étendre au loin ses limites aux dépens de mes voisins. Une grande terre annonce les richesses, l'abondance excessive d'un maître puissant; un petit domaine cultivé avec soin, manifeste le caractère et l'intelligence d'un homme. Nous nous plaignons que nos champs ne sont pas assez féconds; nous en accusons le sol, le ciel, et les dieux; c'est uniquement notre faute. Un enfant ne sourit pas à son père qu'il n'a jamais vu, ni la terre à son maître qu'elle ne connaît pas; elle se plaît à se voir cultiver par ses mains.*" When property is divided, we can scarcely expect to see that haggard poverty, that reckless disposition of mind, which are found even in wealthy countries, where landed estates are of vast extent, and have swallowed up the limited inheritances of a once contented and industrious peasantry. The curiosity may be gratified by the beautiful country seats of noblemen and gentlemen, peering with elegance and modesty from between luxuriant trees and ever-verdant shrubs,—the vast and splendid lawn, the extended park, in which the stag and the deer, of vivid symmetry, gambol with all the playfulness of youth; but, whatever joy we may feel in such lively scenes as these, when the estates are overgrown, when their extent is not measured by hundreds, but by thousands of acres, we may often trace in the back ground the miserable hut, the discontented inmate, and the poor and wretched family. A happy yeomanry must disappear. There is dissatisfaction and misery, a want of self-respect—that promoter of many virtues—and a consequent reign of vice and turbulence. All this may appear to be the product of the fancy; but the evidence collected by the poor law commissioners, easily demonstrates to us the far different, the far less happy condition of the English agricultural labourer, compared with that of the farmer in Jersey or Guernsey, living with independence on the produce of a few acres of his own land.

Of course in subjects of this nature, and in the conclusions which we would draw, reference must always be had to the peculiar circumstances of a country. A difference in the extent of territory will naturally cause some

difference in the necessary extent of properties. In a large country as England, it can scarcely be expected that farms should be of the small size of those in the Channel Islands; but in the natural course of things, when landed property does not exclusively descend to the eldest branch of a family, on the decease of a proprietor, but is divided among his children, the extent of estates will adapt themselves to the peculiar state of society, and will retain that size which is most advantageous for the community. "*Le morcellement des terres est subordonné aux localités,*" in France. Although all children do not participate alike in the division of estates in Jersey, yet, from the division which does actually take place, no inconvenience arises to the community; and, indeed, the laws might still be remedied, whereby the eldest son would not unjustly receive a portion of land expressly for feudal services or duties, which he is no longer called upon to perform; and the juniors and females should receive more than they do now. In France, where the law of primogeniture no longer exists, landed estates have become less considerable, but they do not become too sub-divided, from a wise provision, whereby a jury estimate the extent beyond which a farm should not be divided, and while it thus remains entire, of the size which expediency requires, an adequate compensation is made to the other branches of the family. There is a limit which nature will place to sub-division; for, when the division would be too great, one of the family will purchase the share of some of the others and preserve the whole undivided. This is sometimes the case in Jersey.

The value and rent of land depending upon its productiveness and the exchangeable value of its products, we are prepared to expect that land in Jersey is at a high price, and that the rent of it is high. They are both accordingly so, and the rate must doubtless astound the English farmer. In the neighbourhood of the town, an estate would be worth about £160, and further in the country about £120, per English acre. The rent for good land varies according to its situation, but it may be stated at from £6 : 10 : 0, to £6 : 15 : 0, per acre, per annum. There is always a tendency in rent to be elevated, compared to the returns or profits from the land,—which arises from the greater and more continual demand for land than there is to be let; and also perhaps from the degree of respectability felt by and attached to the cultivator of land, greater than may be attributed to any other employment requiring equal capital and equal skill. There is besides a certainty of a tolerable subsistence during the year to the farmer, even although his prospects of paying the rent may be dim; and hope usually paints the future in attractive colours. It is this motive which in some parts of Ireland causes the rent of land to be so elevated, compared to the returns, and so often above the means of the farmers or tenant to pay; and which promotes, and is promoted by, the recklessness prevalent in the Irish character. But while that cause is of a general predominance, it produces no ill effects in the Channel Islands; where, although the rent of land is high, there is an anxious desire in the tenant to pay it, and that desire, coupled with prudence, assists economy, induces persons not to engage to pay beyond their capability, and is accompanied by that regard which Jerseymen have for themselves and their families,—a regard which is distant from vanity, and which attaches itself to a becoming propriety, and moral tone in themselves, and to the bringing up of their families with care and in a sphere of moral respectability.

But although there are some persons who farm land, yet most of its occupiers are themselves the proprietors, many of whom can trace the past possession of the same fields in their family for some centuries. This knowledge tends to foment the desire of not parting with it, but of preserving it, with the farm-house, in good condition, and of transmitting it whole and undivided to their descendants.

L. Q.

(To be continued.)

ABOLITION OF SMUGGLING IN THE CHANNEL ISLANDS.

In former numbers of the Magazine, we have explained the nature of many of the commercial privileges formerly enjoyed by Guernsey and Jersey. We now propose to narrate the circumstances under which the islands were prohibited from selling liquors, &c. to the English smugglers, which put an end to the most extensive and most profitable trade they ever enjoyed. To carry this measure into effect, the British government sent over a Mr. Stiles, in the capacity of a commissioner, and he opened his mission by addressing the following letter, dated Guernsey, 31st August, 1800, to William Le Marchant, esq., at that time, bailiff.

"Sir,—Having already had the honour of stating to you, in conversation, the general object of my visit to Guernsey, I now beg leave to acquaint you more particularly that the fraudulent trade carried on from this island is, in its consequences, so highly detrimental and injurious to the revenue and fair trade of Great Britain, that the lords commissioners of his Majesty's treasury feel the necessity of recommending to his Majesty in council some measures for the prevention thereof—and to the end that you may form a competent judgment of such measures, I herewith enclose the outline of the principal regulations proposed, to be added to those contained in his Majesty's order in council, dated 13th February, 1767, already registered in the royal court.

"It must be presumed, Sir, from your long residence in the island, and from the high station you fill with so much honour to yourself and advantage to the inhabitants, you are well aware that the illicit commerce in question has increased to a very great and alarming extent, in so much as to affect the interest and lessen the revenue of Great Britain most materially, and that at a time too when she is labouring under the pressure of unusual burthens, which have been necessarily imposed for the maintenance of her constitution, her dearest interests, and even her very existence as an independent state; and, whilst from these heavy burthens the inhabitants of this island are so highly favoured, as to be excused from bearing any part thereof, and indulged in the consumption of many articles of commerce infinitely cheaper than the inhabitants of Great Britain.

"It is but reasonable to hope that an injury of such magnitude, as the one complained of, need only to be pointed out and impartially considered by the individuals, who may directly or indirectly be concerned therein, to induce them cheerfully to acquiesce in any measure which government may deem expedient for the suppression of this illicit commerce altogether; but as such measures must necessarily occasion a great alteration in the trade of the island, and may eventually affect a good deal the interests of some of the inhabitants thereof, the conduct of the whole of whom I am directed by their lordships to observe, has at all times been eminently loyal, they are, therefore, unwilling to decide suddenly on the plan so intended to be submitted. On the contrary, their lordships have been pleased to direct me in the first instance to explain the same fully and clearly to the bailiff and jurats, and afterwards through them, or in such a manner as they judge most advisable, to the merchants who import foreign articles into the island. And I have further in command to state that their lordships are inclined to listen to any observation that may be made in consequence of this communication, with a view of admitting any modification that can give facility to the fair trader of the island, consistently with guarding against the clandestine importation of goods into Great Britain, and, moreover that, if in the event of the measures under consideration being adopted, others could be proposed which might be beneficial to the trade of the island, and advantageous to the inhabitants, without being injurious, in any material degree to the revenue of Great Britain; these are the several points which I am directed by their lordships, openly and candidly to communicate to the royal court, and when they have been considered, there can be no doubt but I shall be favoured with its sentiments thereon, in the same explicit manner, to the end that I may be enabled to lay the same before their lordships."

The following is a copy of the document, enclosed in the preceding letter :

"Smuggling from the islands of Guernsey and Alderney having increased to a very great and alarming extent, and the offenders having, in some instances, committed murder on the revenue officers on the coast of England, government has it

in contemplation to put a stop to such growing and serious evils, so highly prejudicial to his Majesty's revenue and fair trade; to effect which, it is not only intended to enforce the several rules, regulations and restrictions, contained in his Majesty's order in council of the 13th February, 1767, but to add others for the better carrying the said order into due execution. The outlines of these additional articles are as follow :

"That the masters of all ships and vessels arriving at the islands, shall be compelled to make a report upon oath of their cargoes, previously to landing any part thereof, and in default, will be liable to certain penalties.

"The masters of all ships and vessels, taking on board any goods in the said islands, will be required to make a report outwards of the contents of their cargoes, &c., or in failure thereof, will subject themselves to penalties.

"That no ship or vessel shall take on board, from the islands, any tobacco, snuff, tea, coffee, or cocoa nuts, on pain of forfeiture thereof, as also the value thereof, except a limited quantity for the use of the crew.

"That no ship or vessel that does not exceed the burthen of one hundred tons, shall take on board any foreign spirituous liquor, on the pain of forfeiture of such ship or vessel; nor shall any such liquor be brought into, or shipped from the islands, in casks or other packages which shall contain less than one hundred gallons, on forfeiture thereof, as also of the ship. N.B. No ship of a less burthen, or packages of a less size, can now be legally admitted into England, except rum from the British plantations.

"That if any foreign spirits shall be found on board any ship or vessel, inwards or outwards, bound to or from the said islands, which shall contain less than one hundred gallons, such spirits shall be forfeited, together with such ships or vessels not exceeding the burthen of one hundred tons, except a certain quantity for the use of the crew.

"That in all cases, when any action shall be brought against an officer in the island, for any act done by him in the execution of his duty, as well as in all appeals made by an officer against the sentence of the royal court, in matters relating to informations, prosecutions, or seizures,—the security of such officer alone, in lieu and instead of the security heretofore required, shall be accepted and taken as good and ample security, and in all cases of appeals the period of fourteen days, heretofore allowed, shall be extended to three months, and such appeals shall be allowed without regard to the value or amount of the seizure.

"That no action shall be brought against an officer for any thing done in the execution of his office, until one month after notice in writing shall be delivered to him, stating the cause of action, as well as other particulars relative thereto, and any such officer, tendering amends to the person complaining, (if the same shall be deemed adequate,) may plead such tender in bar of that action.

"That on all trials in the royal court, respecting seizures, the evidence of the officer who made the same, shall be received as good and lawful evidence, provided such officer shall previously execute the deed or instrument in writing, realizing and giving up to his Majesty all right, title, &c., to any share of the seizures, agreeably to the practice of Great Britain.

"No claim to be admitted to any seizure, unless made in writing, and left with the proper officer of the court, and if not made within a period to be hereafter fixed, the court shall proceed to give judgment and condemnation. Other regulations will also be established respecting security to be given by the claimants for costs of suits.

"That as certain penalties are inflicted on persons hindering, abusing, beating, and wounding any officers in the execution of their duty, (which penalties will probably be extended,) the officers themselves shall be authorised and empowered to seize offenders, and carry them before a magistrate.

"The seizures made in Alderney, Serk, &c., shall be presented in the royal court at Guernsey.

"The foregoing is the substance of the regulations proposed to be added to his Majesty's order in council of 1767, and that the whole may be effectually carried into execution, it is intended that proper officers shall be appointed for that purpose, whose power to seize, which is now limited to the harbour and port, will be extended to all bays, roads, creeks, &c., of the islands, and it is likely that in order to facilitate prosecutions for seizures and penalties in the royal court, forms of proceeding therein will be established."

When this statement from Mr. Commissioner Stiles was made known to the public, the merchants, alarmed at the prospective annihilation of their

enormous and rapid gains, presented the following petition to the bailiff and jurats of the royal court :

“ That they cannot but feel much alarm at the plan proposed to the royal court to suppress the trade of this island, a plan pregnant with ruin to thousands of industrious inhabitants who, born to certain privileges secured and sanctioned in the most solemn manner by royal charters, have carried on the respective trades and callings exercised by their forefathers for many centuries without any interruption than arose from his Majesty's order in council of 13th February, 1767, which, being forcibly registered, but never enforced, could not be expected to be made the sudden instrument of the ruin of this island, after a lapse of thirty-three years.

“ That sensible of the extreme importance of the revenue to Great Britain at this moment, and how much its increase is connected with the safety of the state, they would content themselves with petitioning humbly for an indulgence calculated to preserve their families from impending ruin, and cheerfully sacrifice their future interests, if hope could be entertained of benefitting the revenue to any considerable extent by the suppression of our trade, and if they were not convinced of the inefficiency of all steps taken here so long as there remain other ports to resort to.

“ That there is more than conjecture to warrant the belief that the trade, when suppressed here, would be transferred to other ports, since there is already one port on the continent more resorted to by smugglers, and from which a trade more extensive and more injurious to the trade of Great Britain is carried on.

“ That this trade from the continent can, or cannot, be stopped by regulations at home ; if it can, it must be independently of any measure taken by Great Britain, and the same means will produce the same effect on the trade to this island from the continent. The suppression of our trade can only lead to the ruin of a dependent island, and the consequent establishment of a valuable trade in some foreign port, which will rise in wealth and importance in the same proportion as this island shall sink in poverty and insignificance.

“ That the wealth gained here reverts to the mother country, and helps to support the public funds, promotes the navigation of the country, and affords in time of war the means of fitting out numerous privateers, to the great annoyance of the enemy's trade.

“ That in the other case, all these advantages cease for the mother country and are thrown with double weight in the scale of a rival country. The payments are made in specie which never returns ; a great accession of wealth, and still greater activity of circulation is infused into the commercial interests of the country.

“ In time of war, the capital of the merchants, and the pursuits of the inhabitants of the rival country, with the fast sailing vessels at their disposal, would prove of the greatest injury to the trade of the British Empire.

“ That though the suppression of the trade of this island would be productive, at all times, of the most fatal consequences to the inhabitants, the effect of which could only be mitigated by previous notice, and by affording to the merchants the means of withdrawing gradually their property from its present channel, and to the labouring class the means of discovering and settling themselves in different habits of industry : but that this sudden interference and suppression of our trade would annihilate large capitals, lower materially the value of the goods on hand, and diminish the property of every man in the island to one half of its value, and reduce thousands of innocent and industrious persons to ruin and beggary.

“ They therefore humbly pray that the bailiff and jurats will take the alarming situation of the inhabitants of the island into their most serious consideration—that they will use their utmost endeavour to avert the threatened blow, by representing to his Majesty, in the most humble and earnest manner, the distress of so many of his faithful subjects, in hope that government will lend a favourable ear to the complaints of a loyal people.

“ That should the plan be finally resolved upon, they further pray that it may be carried into effect with all the indulgence which is due to so many unfortunate persons—that sufficient time may be allowed to prepare for this change in their situation, and find means to support their existence.”

It being deemed expedient to exhibit as bold a front as possible to the government, the people of Jersey were invited to unite with those of Guernsey in opposing the plan of Mr. Stiles ; and, in order that the interest of the two islands might be the more closely identified, Daniel De Lisle Brock, Esq., our present worthy bailiff, proceeded to Jersey, and on the

9th September, 1800, he addressed the following letter to Thomas Pipon, Esq., lieutenant-bailiff of that island :

" Sir,—As I have already had the honour of communicating to you the purpose of my mission to this island, and you have received the proposals which government has transmitted to both islands through the hands of Mr. Stiles, I shall take the liberty of submitting a few observations on those proposals, more with a view of introducing my wish of obtaining the co-operation of the royal court and States of this island in the measures which it may be necessary to take, and of knowing their sentiments on the nature of the measures to be taken, than with the hope of throwing any new light on the subject, or conveying any degree of information to those who must be every way better qualified than I can be to judge of the proposals, and appreciate their serious importance to both islands.

" Although the losses, inconveniences, and distresses, attendant on the execution of the plan proposed, will be more severely felt in Guernsey than in Jersey, yet the permanent interests of the two islands in the agitation of this question is precisely the same,—both of them would be abandoned to their own natural resources, and left with them only to struggle against the disadvantages of a confined and frontier country, exposed with a diminished and disheartened population to the enemy's attack.

" The order in council of 13th February, 1767, being registered in these islands, no opposition can avail against its execution, if finally determined upon by government, but as it contains the principal restrictions now in contemplation, it is certainly the duty of the guardians of the privileges and happiness of the inhabitants to use their best efforts to prevent, by humble remonstrances, the enforcement of the said order, which, having been a violation of our ancient rights and charters, and only nominally enforced, would, after a lapse of thirty-three years, produce all the bad effects of sudden innovation on the trade, industry, and customs of the inhabitants.

" To remonstrate against the putting the said order in force, and consequently against the further restrictions and regulations proposed, appears the first step to be taken. As the argument from the two islands, though acting in concert, and tending to the same end, need not absolutely be the same in every point, yet, from the injury to trade, local situation, certain diminution of population, and probable decrease of zeal and affection to the mother country, it may in many respects be drawn up as common to both.

" But Jersey, having given rise to none of the motives which have induced government to adopt this measure, stands upon high ground, and may urge the hardship of the restrictions proposed to be put on its trade, although it has never been carried on to the injury of the revenue. At the same time, Guernsey is not without strong argument against the plan proposed, from the great loss, misery, and distress, which threaten the trading and labouring classes, forming a majority of the inhabitants, and from the inefficiency of any plan to suppress smuggling into England, so long as their own interior regulations continue ineffectual, and so long as there remain other ports to which smugglers can and do resort. But however necessary it may be to remonstrate in the first instance, and however strong the argument urged against the measure in general, yet, as doubts may be entertained of success, preparations should be made for the event, if government persist in the resolution to put in force the order of 1767 ; and it will then be equally necessary to act in concert in order to obtain some modification of the above order, and some compensation and advantages which may be of the greatest benefit to the islands, without interfering with the revenue.

" Under this denomination may be classed an application to government for a general permission to import and land all articles from neutral countries, and all such articles from the English colonies as may be re-exported from Great Britain without the payment of duty, with proper restrictions on the exportation which may easily prevent the goods from being conveyed fraudulently to Great Britain. What objection can there be to our speculations in tobacco, coffee, cocoa, and many other commodities for the supply of the continent, or for legal entry into Great Britain or Ireland? The mother country having a controul over her colonies, and her revenue gaining some advantage from a great part of their produce, although re-exported, may wish to preserve a monopoly of that part of their trade, and would probably object to our participation at the expense of the revenue : but with respect to all colonial produce which may be re-exported without contributing to the revenue, and all goods from neutral countries, which are of course free to go to any port, there does not appear to be any reason against our enjoying the free

introduction of them into these islands, since a restriction in these cases is of no advantage to the revenue, or general interests of the mother country, and serves only to increase the wealth of Hamburg, and other free ports of the continent. Tobacco, for example, is one of the articles most objected to the importation of into these islands, but it is well known that, before the war, very large quantities were exported to France from both islands in a manufactured state, which was a source of employment to great numbers of men, women, and children, and, in many instances, the American merchants have given the preference to these islands for lodging their tobaccos intended to supply the continent on account of their central situation, and the advantage experienced by the merchants in paying less charges than at Hamburg, and having the ports always open without the interruption or danger so common to the northern ports. Instead of any prohibition or restriction to the landing of such commodities in these islands, it would be their interest, as well as that of the mother country, if the practice was more encouraged, which it might easily be by rendering the duties on goods, not coming from the country of their growth, something higher when imported into Great Britain from a second foreign port, than when imported from these islands, or other English dependencies. This is actually the case at present with respect to wines, which are lodged in these islands in consequence of that advantage on their importation into England, and if extended to brandies and other goods, would prove of much benefit to our trade without being detrimental to the revenue.

"One advantage which accrues to Great Britain from encouraging free ports in these islands, and admitting vessels which would otherwise proceed to Hamburg, or other foreign ports, is not to be overlooked, and arises from those ships taking in a return cargo from the place of delivery, which, from these islands, would more likely be the growth and manufacture of Great Britain, than from any foreign port.

"The exportation from these islands direct to the English colonies and America, without the necessity of landing the goods previously in England, would prove of benefit to our trade, and might be allowed to a certain extent, and in many cases without injury to the revenue.

"Having touched thus lightly on the compensations in trade which might be allowed to the islands, we have to consider the additions proposed, which are, for the greater part, inadmissible. Not only the little trade left open to the inhabitants to pursue would be shackled with fresh impediments by the establishment of custom-house officers, to whom all ships must report and clear inwards and outwards, but the judicial form and procedure would be completely changed,—the civil authority transferred, in many cases, into the hands of revenue officers and converted into mere instruments of their will,—would be degraded with insignificance, and unfit to be exercised by men of honour and honesty.

"Let us remark on some of these clauses, and we shall find them truly exceptionable, and each of them more subversive of the constitution than the others.

"First.—The term of three years is to be allowed to the officers to seize and prosecute our ships during which time they are to be kept in suspense, and perhaps after changing owners repeatedly, will finally be condemned on account of the death or absence of the exculpatory evidence, whilst our penal ordinances extend their effect for only one year.

"Secondly.—No security is to be required from an officer in any prosecution carried on by him; his personal security is to be deemed sufficient, though he should not be worth sixpence. An inhabitant will have to give all satisfaction and security without the means of obtaining the same, when his personal liberty and whole property may be involved in the question.

"Thirdly.—An appeal from the decision of the royal court to his Majesty in council is to be allowed in all cases whatever without regard to the nature of the prosecution, or the amount of the seizures, than which nothing can be conceived more vexatious to the inhabitants. At present, no appeal in penal prosecutions, nor in cases under twenty pounds in Jersey, and forty pounds in Guernsey, is allowed. The admission of this change will require the carrying on of all suits, and the judging of them on written evidence, and documents, will be productive of endless expense, delay, and inconvenience, and must finally leave the officer *sole judge* of every question under forty pounds, since no cause so carried on can cost the party so little as that sum, and no man will defend a suit which, after all his trouble, can be gained only with loss to himself, whilst the prosecution on the part of the officer is attended with no expense to him, and this, which is true with respect to all cases of at least forty pounds value, is much more evident in such as are only of ten pounds, or five pounds value, or under.

"Fourthly.—The above cited charges chiefly affect the *property* of the inhabitant : there is one which leaves their *personal liberty* at the mercy of the officers, who have power themselves to seize offenders, and carry them before a magistrate, for hindering, abusing, beating, and wounding officers in the execution of their duty : at the same time no action can be brought against an officer until one month after notice to him in writing, but he may of his own authority seize immediately an inhabitant, and is left to judge, what is abuse, or hindering him in the exercise of his duty.

"These extracts are sufficient to show the tendency of the regulations proposed, and the extent of the power to be vested in the revenue officers, independently of their being admitted as evidence in their own suit, or making over their share of the seizure or penalties in question.

"No set of men can be entrusted with such powers without being rendered paramount to all authority, and a continual source of vexation and oppression to the inhabitants. Incurring themselves no risk of costs or expenses, the officers may harass any man into acquiescence and submission by the terror of a law suit which, for five shillings, may be carried from his native tribunal to another out of the island, and out of the reach of nine-tenths of the inhabitants. There never was a period in which the civil authorities stood more in need of the public esteem, confidence, and respect than the present, and there never was a measure which could tend so effectually to remove these attributes from them, as that now proposed, which would transfer so much power to custom house officers, completely alter the ancient law, forms, and customs, and limit the sentences of the court virtually to the condemning the accused.

"That the influence of your character, situation, and abilities may be exerted in judging of the best means to avert the execution of the plan proposed : that the royal court and States of this island may be induced to take an active part in preventing it : and that their efforts may be crowned with success, is the prayer of every friend to his king and country, and of no one more than of, Sir, yours, &c.,

(Signed) DANIEL DE LISLE BROCK."

(To be continued.)

GUERNSEY BEACHES.—No. 2.

VRAIC, OR SEA-WEED.

THE *vraic*, or sea-weed, cut or gathered on our coast, being of such extreme value as manure,—that used for fuel, turned into ashes, being equally valuable,—to a dense population like ours, who cannot afford to leave an idle inch of ground, a report on it merits a place in this Magazine, by the side of other local articles, either useful or amusing.

The time of working, and regulations relating to this product, are as follow : the winter *vraic scié* is cut at the first new, or full, moon after Candlemas ; this year, for example, it begins, for every body without exception, on the 6th of February, and lasts until the 15th of March, being during one moon and a quarter. This crop is wholly for manure, and the cutting of it should be limited to this use, it having such little time to grow again until the summer harvest. This latter cut, chiefly for fuel, begins this year on the 19th of June, but is limited during one moon to the use of the poor, or people who have no cattle ; they must on no account barrow any to cart, but must carry it above the spring tide mark. On the 17th July the general cutting commences, and continues until the 31st August, when it finally closes. The law relating to the *vraic venant*, or drift weed, is at present to this effect,—for owing to its value it has undergone more revisions than any thing else I remember,—it is allowed to all persons all the year round to mark, rake, or cart away the *vraic*, from sun-rise to sun-set, with the addition that, in the winter months, the time is extended till eight o'clock at night.

The manner of working this product is worth notice. I shall not make a distinction between the winter and summer cutting of the *vraic scié*, the work being the same, only that the summer is more of a holiday than the other. It is then that half the country people, uniting in sets of two or three families, lads and lasses, and some of these amongst the best, crowned with flowers "all round my hat," proceed joyously towards the beach, and, as the tide recedes, scatter themselves on the different rocks—the boldest, on foot or on horseback, wading to the

furthest that have been examined the day before by the men, and where the *vraic* is thickest and longest, and proceed to cut it with a small kind of reaping hook, and throw it in lumps, with a smooth stone with their initials chalked on it, until the tide flows, when some of the men begin to carry it on shore, on horseback, and that at full speed, where carts cannot go. When their short, but hard, work is over, the young men lead the lasses to bathe; such a scene then presents itself as must make all but the misanthrope's heart smile with joy; the falls, the cries of the half terrified, half pleased girls, the shouts of the mischief-making boys who lead them into deeper water than they altogether like, form a scene, I repeat, which all enjoy, and which has never been so well described as in a piece of poetry from the pen, I am almost quite sure, of one of the late contributors to this Magazine, and which I wish the prayer of a respectful but sincere friend would induce the author to publish in this work. Nor must we omit the evening of those days which has a feature, I believe, peculiar to this island. In several taverns in the country is arranged on the *lit de fouaille* a kind of canopy, supported on posts, the whole, as well as the seat, covered with flowers tastefully decorated, set off by the *fouaille* or fern, and well lighted up. It is customary also to have a dance in the evening at these houses, which is always well attended by the young *vraicqueurs*.

The working of the *vraic venant* is also not without its interest; it is gathered in two ways:—by marking; when the tide is out at sun-rise, two or three men attached to each cart, posted with three-pronged forks where the *vraic* is thickest and cleanest, or where there are least people, and prepared to mark, watch until one of them raises his fork as a signal, when they all begin at once by raising little lumps as marks, and it certainly is a fine sight, on a clear summer morning, to see so many men, sometimes all along the beach, working like bees with so earnest a will; and well they may, their day's profit depending on the few minutes of marking. They then clean it by shaking it clear of sand and pebbles, and cart it on shore more at their leisure, as the tide gives them time. The raking of this *vraic* takes place either when the tide is up at sun-rise, or at any other time when it ebbs; this working of the article is generally in bad weather, strong gales only tearing it from the depths, and casting it on shore. It is interesting to see the men in knots, where the *vraic* gives, sometimes forty or fifty of them in a few yards space, with their immense rakes, with a head between two and three feet, teeth of fourteen inches, and a sapling or young elm for a handle, from twelve to eighteen feet long, in the sea up to their middle, sending them forward the full length of the handle, and, having stuck the head where the *vraic* is thickest, drag their rakeful up out of the reach of the waves. Of course this has its dangers; the shingles dragged by the sea under the feet, the rakes torn out of the hands and brought back amongst the legs of the men, have caused a few broken limbs, but, in general, when they occasion nothing but a tumble and a drenching, it only creates merriment at the expense of the unlucky wight.

To arrive in the nearest manner at the approximate yearly value and quantity of *vraic* procured, we must compare notes, that is, put the report given by people living along the coast against the probable quantity of land manured, and the proportion of dried to that of fresh sea-weed. The average number of loads of *vraic venant* taken out of the four principal bays to the west of the island, is stated by respectable men, to be nearly in the following proportion: Rocquaine, 3,000; Lérée, 4,000; Perelle, 3,000; and Vason, 4,000; this part including Lihou is reckoned to be equal in produce to the remainder of the coast. To bear out the above report, it may be remarked, that within a fortnight 400 loads have been taken in two days out of a small creek near Lérée, and further, that in the Campanzon, a few years since, full 600 loads were marked by one man, in one morning, whose veracity may be depended on. The above account would, therefore, be about 28,000 loads for the whole island. As to the probable quantity of land manured with *vraic*, if my own small farm of thirty vergées can be taken as an example, (and it chiefly consists of meadow land,) for potatoes, parsnips, or cabbages, I never manure less than two vergées, that is, one-fifteenth; but, to keep within bounds, let us say throughout the island one in twenty—a great number of farmers manure one in five—which gives (Guernsey containing about 40,000 vergées) two thousand manured yearly with *vraic* (only 200 in each parish); of this extent it is supposed about four-fifths, or 1,600 vergées, are manured with this *vraic venant*, of which four loads at least are put to the vergée: 6,400, at two shillings, taken on the beach, cost £640. The proportion of dried is computed as equal to twice that of fresh, though not equal proportionably in value, the load of fresh *vraic* giving but three bushels of ashes at five pence the bushel; the whole

value, therefore, may be about doubled, say £1,400. By dividing the coaster's account, 28,000, and the above, near 20,000, about 24,000 loads of *vaic venant* are yearly got out of the beaches. The *vaic soie*, supposed to be used in dressing one-fifth of the manured land, or 400 vergées, produces, at two loads the vergée, 12s. the load, or £480; it is estimated that full one-third more of this is dried than used fresh, and it is of equal value, selling at £2 the dried load—three of fresh are wanted for one dry. The result is £720, added to the value of *vaic venant* £2,120, and that from the adjacent rocks and Herm, it may be stated at £3,000, exclusive of cartage, annual revenue, and the number of loads of *vaic* of all sorts at about 30,000.

It is acknowledged that this manure is, by its invigorating salts, the chief cause of the productiveness of land in our staple culture—potatoes. Out of many a field were dug last autumn, in the aggregate to the perch, six bushels, of sixty pounds Guernsey measure each, equal to sixty-seven and a half English, a produce of 16,200 lb. to the vergée, or about twenty tons and a quarter to the English acre. Of course this account is more than an average year, and so are also the prices; when digging, they sold at one shilling the bushel, and are now at one shilling and nine pence. The average produce is about four bushels to the perch, and the average price, of late years, one shilling the bushel, giving £20 to the acre. For fear that this statement should induce strangers to take Guernsey for the El Dorado country, I will just state that the value of good land is £7 10s. the acre, and labourer's work two shillings per day, or, to put the expense by the side of the receipt, the cost of the culture of an acre of potatoes producing 400 bushels, at one shilling the bushel, is as follows:

	£	s.	d.
Rent of land.	7	10	0
Manure, 10 loads of <i>vaic venant</i> , cartage included, 5s. per load. .	2	10	0
Ploughing to turn in the manure.	0	15	0
Seed, 20 bushels, at 1s. 6d. in the late season.	1	10	0
Ploughing and planting.	1	5	0
Rolling and harrowing.	0	10	0
Weeding, at 2d. the perch.	0	16	8
Digging, 1d. per bushel.	1	13	4
Cartage, the same.	1	13	4

leaving a profit of only £1 16s. 8d. to the farmer.

£18 3 4

I cannot state precisely the value of the extra produce of land manured with *vaic* over that not manured at all, but say only one-fourth the value of one bushel of potatoes in that, or other, product, or one shilling per perch on the 2,000 vergées, will still give £4,000 additional yearly value to Guernsey.

L. B.

Câtel.

LAWS AND CUSTOMS OF GUERNSEY.—No. 5.

DIVISIONS AND TERMS OF ROYAL COURT, WITH NOTICES OF JUDICIAL PROCEEDINGS.

HAVING, in preceding numbers, briefly noticed the laws and customs of Guernsey, under the different heads of Real Property, Debtor and Creditor, and Criminal Law, the transition from thence to the administration of those laws naturally leads us to the judicial body, or Royal Court,—the terms, divisions, and mode of proceeding before which, will now occupy our attention.

The Royal Court, judging as it does of all questions, civil, criminal, and correctional,—is distributed, for the convenience of public business, as follows:

ROYAL COURT.	CIVIL.—Court of Judgments.—Court of Heritage.—
	Mobiliary Court.—Saturday Court.—Admiralty Court.
	CRIMINAL.—Court of Correctional Police.—Superior Criminal Court.

The terms of the Royal Court, each of which lasts six weeks, commence on the following days:—Christmas term, on the second Monday after the Chief Pleas, which are held on the first Monday after the 15th January; Easter term, on the first Monday after the 15th May; and Michaelmas term, on the second Monday after the Chief Pleas, which take place on the first Monday after the 29th September. Each term, together with the interval succeeding it until the holding of the Chief Pleas that open the ensuing term, is locally denominated "*un quartier*." There are, therefore, three "*quartiers*" in the year. To each of these four Jurats are assigned in rotation, whose duty it is to constitute, along with the Bailiff, the Mobiliary, Saturday, Admiralty, and Heritage Courts, besides assisting with the other Jurats at the Criminal Courts and Court of Judgments.

CIVIL COURTS.

The COURT OF JUDGMENTS, which is held three times in every term, on every other Tuesday, beginning with the first Tuesday in term, determines appeals from all the other civil courts. It must be composed of at least seven Jurats, besides the Bailiff. The Court of Judgments need in strictness be held only in term; but, for the convenience of suitors, the Bailiff and Jurats sacrifice much of their time in hearing appeals out of term,—a practice the most truly praiseworthy and liberal, as their services are, with the exception of a trifling fee,* perfectly gratuitous.

There can be no appeal from any of the inferior Courts to that of Judgments, unless the sum in dispute exceed £150 *tournois*, or £10:14:3 sterling; nor from any case where witnesses have been heard *viva voce* in the inferior Court, be the amount in dispute ever so considerable.

From the sentences of the Court of Judgments there lies a final appeal to his Majesty in Council, provided the object in dispute, if real property, amount to the value of £10 sterling per annum, or, if personal property, to £200 sterling per annum. All such appeals must be prosecuted within the space of six months from the date of the judgment appealed from.

As far back as 1580, appeals to his Majesty in Council were allowed for matters of so small a value as £10 sterling, but that sum appearing in process of time to be too small, the amount was altered in 1605, and fixed at £40 sterling; and so it continued until the 18th May, 1823, when it was definitively fixed, by an Order in Council of that date, at £200 sterling. This limitation was obviously intended to apply only to cases where the amount alone was in dispute, and not to cases involving questions of *right, law, or custom*. That the Royal Court, at least, ought thus to understand it, is evident from the following extract from "*Observations on the Report of the Royal Commissioners*," made by them to the Lords of Council on the 28th November, 1817,—observations which, be it said *en passant*, are drawn up with great ability, and display a knowledge, on the part of the writer, of the bearings and relations of the subjects brought under discussion, and of the probable results of the changes proposed, very far superior to any thing the commissioners could lay claim to. Adverting to the recommendation of the commissioners, that appeals between the local Courts should be limited in amount, the Court justly and forcibly observes: "In questions of *right, of law, or custom*, which though for small sums, may yet involve serious consequences, the appeals are very necessary, if it were only to avoid contradictory decisions on the same questions when argued for different sums: a decision of twenty shillings for the maintenance of a pauper, may subject a parish to the payment of large sums; the same for a debt contracted by a married woman against the husband; or a demand, however small, for a vessel against a part owner; in which, and numberless other cases, *the decision for small sums lays the ground for a liability to others of magnitude*; and in all such cases of *right* the Court humbly begs that appeals should not be limited in amount." Yet in the case *RECEIVER-GENERAL versus LE TISSIER*, November, 1821, where the question, (though on the face of the action relat-

* One shilling to the Bailiff, and sixpence to each Jurat for every judgment, except when the appeal is from the Admiralty Court, when this fee is doubled.

ing only to the payment of a couple of hens alleged to be due to the Crown on the defendant's house,) was in reality whether the Receiver-General could demand the duty of *powlage* on several hundred houses for which it had never been paid,—a question, therefore, of *right*, in which most of the proprietors of houses were interested; and in the case *CROWN LAWYERS versus RECEIVER-GENERAL*, July, 1833, where the question related to the *right* claimed by the former (who receive a salary from his Majesty) of charging for all services rendered by them to the King in civil suits,—in both these cases the Court refused the appeal direct upon the ground that the sums at stake were below the limitation, and compelled the parties, against whom judgment had been given, to deposit £10 at the Greffe office, and go to Council in the character of *doleants*.

This brings us to notice a mode of appeal to Council, which leaves in nearly all its force the evil intended to be removed by these changes: it is the appeal by doleance which, by an Order in Council of the 27th June, 1627, is granted for sums of less amount than £40 to every person, who besides giving the usual bail to pay costs, deposits £10 sterling at the Greffe office, to be forfeited to the poor in the event of his “failing in his appeal or doleance.” By this mode of appeal, the individual losing his suit has the power of obliging the other party to plead again before council on the mere deposit of £10, a sum which many a litigious character would care little about sacrificing so he might but succeed in causing his adverse party to incur an expense of six or eight times that amount by an appeal to Council, or even in merely putting him to a delay of six months. It were exceedingly desirable, if this mode of appeal is to be continued, that the amount of the deposit should at least be *doubled*. This rise, of which the altered value of money in the course of two centuries would alone point out the necessity, would still be very disproportionate to that which has been effected in the amount for which appeals direct can be granted, for with regard to these, it has been raised from £40 to £200, or in other words, has been *quintupled*. It must, however, in justice to the Court, be observed, that a change of this kind was proposed by them to the Lords of Council, who however, probably because the proposition was made at a time when their attention was occupied with changes in matters not connected with appeals, took no notice of it.

THE COURT OF HERITAGE, or “*PLAIDS d'HERITAGE*,” is of great antiquity. It is held, like the Court of Judgments, once a fortnight during term, beginning with the second Tuesday. In this Court are entertained all suits regarding real estate,—all proceedings for wheat and other perpetual rents,—and all demands entered for the purpose of dispossessing a debtor of his real estate. Here, too, as soon as the debtor has abandoned, or been dispossessed of, his real estate, are determined the relative claims which his creditors have against each other, with regard to it, on the score of priority.

The Court of Heritage appearing to be peculiar to the Norman Isles, and it having been, and it still being, regarded as the most valuable part of the insular constitution—a part of it which has often excited the admiration of strangers competent to pronounce on its merits—a short description of the manner in which cases of bankruptcy are carried through it may not be uninteresting.

When judgment has been obtained against a debtor in the Mobiliary Court, it is enforced by taking either the person or the effects in execution, or by removing the cause to the Court of Heritage in order to compel him to renounce to his real property. The act of renunciation, or bankruptcy, may be either voluntary, when it is called “*Renonciation Volontaire*,” or compulsory, when it is called “*Renonciation par loi outrée*.”

First.—“*Renonciation Volontaire*” is that in which the debtor, against whom an action is brought, voluntarily comes forward, without awaiting judgment, and renounces to all his goods, chattels, and estates, in favour of the creditor by whom he is sued, or of his creditors generally, if he have more than one,—by which act he entirely exonerates himself, not only from

the particular debt which is the subject of the suit, but from every other debt which he may have contracted up to that period. The action in which the debtor thus offers to give up his estate, both real and personal, being in the Mobiliary, Saturday, or Admiralty Court, in neither of which the offer to renounce to his real estate can be available, a minute is entered that the debtor will confirm the surrender of his real estate at the next Court of Heritage. An action to that effect is therefore entered against him in that Court,—and he accordingly confirms the surrender, or if he fails to do so, the King's Sheriff is, after the first default, appointed to represent him, and after the third default, confirms in his stead.

Secondly.—“*Renonciation par loi oustrée*” is a compulsory abandonment of a debtor's real estate, the result of a process the object of which is to dispossess him of that estate. Being strictly a process against the real estate only, and having no reference to the personal property, rights, or liabilities of the debtor, it clears him only from such debts or liabilities as were attached exclusively to the real estate. He still retains his personal property, and of course remains liable to the payment of all simple contract debts, bills of exchange, or bonds, even though some of these should happen, by way of further security, to have been registered against his real estate.

The first step towards obtaining the “*Renonciation par loi oustrée*,” after judgment has been given in favour of the creditor in the Mobiliary Court, is to constitute him *saisi mobilier* of the debtor's real estate, in which character he is entitled to take only the rents and profits of the estate in liquidation of his claim, but has no right to any property in the estate itself, which continues to belong to the debtor, although he has been dispossessed of the enjoyment of it. The proceedings indeed, as far as this point, are carried on in the Mobiliary Court, and can therefore be of no avail to dispossess the debtor of his right of property in his real estate. If the plaintiff be the only creditor suing, and the rents and profits of the estate suffice to pay his demand within a reasonable time, he proceeds no farther than this point; and as soon as his demand is liquidated, he returns the estate to the debtor. But if there be other creditors suing, or if the amount of his own claim be so considerable that there is no prospect of its being paid, within a reasonable time, by the profits of the estate, he pursues his further measures in the Court of Heritage, so as wholly to dispossess the debtor of his real property. If the debtor answer on the first summons in the Court of Heritage, and offer to renounce, the creditor, who up to this time has been *saisi mobilier*, is now constituted *saisi hérédital*. But if, which is generally the case, the debtor commit a default by not answering on the first summons, the King's Sheriff is forthwith appointed in his place, and the process regularly moves on from stage to stage, whether the debtor be present or whether he be absent,—it being impossible to stop it for an instant by frivolous pretences, chicanery, or appeals, as only the legally ordained delays (which are all established solely to give the debtor time to recover himself and raise money to pay the debt) are here admissible.

The process, after five defaults, which occupy from four to six months, is brought to a close by the debtor's being summoned for the last time to take back his estate and pay the plaintiff his due. If the debtor have been able, during the delay afforded him by the law, to recover himself, he pays the plaintiff, and has his estate restored to him. If, on the contrary, he cannot pay, the Sheriff, with or without the consent of the debtor, who, however, is always summoned to be present for the purpose of counselling him, renounces in his stead,—by which act the debtor loses his estate for ever, and the creditor is declared *saisi hérédital*. The creditor does not, however, by being constituted *saisi hérédital*, become proprietor of the estate,—he becomes only trustee to it in his own and the other creditors' rights,—the estate remaining in abeyance, to abide the final adjudication among the creditors, according to their right of priority of registry against it, at the close of the process. Nor has he now, as he had whilst he was only *saisi mobilier*, a right to appropriate any part of the produce of the estate to the

payment of his own claim, but is bound to let it out to the best advantage before the King's Sheriff, and to apply the whole profits arising from it to the general account of the *saisie*, and answer for them at the close of the process.

The interest indeed of the trustee, whether in his character of *saisi mobilier* or *saisi hérédital*, is of a very limited description, and restricted to the mere preservation of the property. He dare not, for instance, venture to let, repair, or take any other step respecting it, without an application to the Court to authorise him to do so,—nay, he cannot give his consent to any public measure affecting the property, by which even its value should be considerably enhanced, and therefore the mass of the creditors benefited. Should he let, repair, or consent to any measure affecting the estate, without proper authority, he would commit what is technically called "*acte de propriété*"—an act of ownership—and, if the other creditors insisted upon it, he might, for so doing, be declared "*saisi propriétaire*," or proprietor of the estate, and as such become liable to the payment of all their debts.

The first measure of the "*saisi hérédital*" is to give notice at the porch of every parochial church in the island, on three successive Sundays,—in the public market place on three successive Saturdays,—and by three insertions in the French local newspapers,—that he is about to open a "*décret*," or registry, at the Greffe or Record office, in which all persons having demands against the estate are to make an entry of the nature and amount of their claims. In the case of the "*Renonciation par loi outrée*," this registry is open for the space of forty days,—in that of the "*Renonciation volontaire*," it is open for nine months,—within which respective periods all persons having claims against the estate are to register them, as at their expiration the registry is closed, and those who have neglected to enter their claims are for ever precluded from all hope of recovering them.*

As soon as the registry is closed, the "*saisi hérédital*" commences a process against the several creditors who have registered: the purport of his action is to call upon them to take the estate out of his hands and pay him his due, or to abandon their respective claims upon it. He also institutes similar actions against all persons who may have made purchases of real property from the debtor before the *saisie* commenced, but at a time when his estate was already incumbered by the registry of debts against it: these he calls upon to take the estate and pay him his due, or to give back the purchases, whether of houses, land, or perpetual rents, which they may have made from the debtor. These processes, against both creditors and purchasers, proceed in the same regular manner as did that against the debtor previously to his being dispossessed; and the same number of delays as were granted to him in order that he might if possible save his estate, are now granted to the creditors or purchasers, that, before they renounce to their claims or purchases, they may have time to inquire into the nature of the sequestered estate, to ascertain its value, and to examine what is due upon it, in order that each one of them may be enabled to judge whether he can, by making himself "*tenant*," or holder of the estate, and paying the claims registered before his own claim or purchase, save what is due to him, or the purchase he may have made from the debtor. These delays being the only ones that can be taken, they so far from encouraging chicanery, constitute, by their being invariably fixed, the regularity of the process, and in that regularity is perhaps the best bulwark that could be opposed to all attempts at litigation. After the fourth default, such of the creditors or purchasers as have not voluntarily answered before, are, along with the *saisi hérédital*, sent before one of the Jurats of the Court, who is styled a "*Commis*," for the purpose of deciding on the priority of their respective claims and liabilities. Here they produce the different contracts, or other documents, under which they claim, or by which they purchased. The question of priority is decided according to the dates of the registries. The first debts, therefore, in rank of priority, are generally wheat or other rents reserved as a perpetual charge on

* Excepting the holders of perpetual rent charges due on the estate, who have six years allowed them, during which they can make their claim by registering; but in this case they lose all their arrears, and, if the six years elapse before they register, the rent is extinguished for ever.

the estate either at the time of its being sold to the debtor, or at some antecedent period,—the next may be rents settled upon it by the debtor himself, or debts registered against it, before the *saisie* commenced, at the Greffe or Record office, on the books which contain all the insular real property transactions,—and the last are such debts as were never registered at the Record office, but merely entered on the “*décret*,” or registry opened by the *saisi hérédital*. The individuals composing the first and second of these classes of creditors, have in the same manner their respective rights of priority, in relation to each other, decided by the date of their registries, and if two or more of them happened to register at the same date, they are said to be “*en parité de droits*,” or in parity of rights; whilst the individuals composing the third class, having never registered, can have no rights of priority over each other, but are all “*en parité de droits*.” The same rule holds good with regard to the purchasers of real estate—i. e. houses, land, or perpetual rents—from the debtor, whose extent of liability to pay his debts or give up the property they have purchased from him, depends also exclusively on the date at which such purchases were registered.

The “*Commis*,” or Jurat, to whom this reference is made, having given in his report upon the priority of claims and liabilities, and the order in which the offer of the estate is to be made, the parties appear at the next Court of Heritage, when the report of the “*Commis*” is read, and the estate offered to the creditors or purchasers—the *saisi hérédital* of course included “*selon leur postériorité*,” or according to their posteriority,—the last registered, or those who have not registered at all, having the first offer of the estate, on the condition of paying all the previously registered debts. If the first individual who is called upon declines the offer, his claim or purchase is gone, and all recovery thereof for ever barred. The estate is then offered to the creditor or purchaser next in date, and, if he decline to take it, then to another, and so on in retrograding rotation until at length some one of the creditors or purchasers, finding that he can save his claim or his purchase by accepting the estate on the stipulated condition, stops the proceedings and declares that he makes himself what is technically called “*tenant*” of the *saisie*. If two or more creditors, thus called upon to take the estate or abandon their claims, are “*en parité de droits*,” and neither of them is willing to abandon his claim, they are to take the estate, and pay the debts upon it, at the *prorata* of their respective demands.

The individual who makes himself “*tenant*” is thereupon declared *saisi propriétaire*, and having paid off every debt anterior in registration to his own, he stands completely invested with all the rights of ownership enjoyed by the former possessor, but discharged from all incumbrances.

The Court of Heritage must be held by the Bailiff and at least three Jurats: the King's Sheriff and three Bordiers, or free tenants—a remnant of feudalism—must also be in attendance.

At the opening of the Court, a summary of the contents of all contracts, for the purchase of houses or land, which have been registered at the Record office since the last sitting, is publicly read, which formality—supposing another, which was pointed out in the chapter on the Real Property Laws under the word “*Retraite*,” not to have been taken—secures the purchaser, after the lapse of a year and a day from the date of the registry, against all claims to the property by “*retraite*” that might be made by the seller's relatives.

In this Court also, the owner of a rent, due upon another's estate, who may have lost or mislaid his title-deed, may compel his debtor to come forward and “*confess*” owing the rent, in which case the act reciting the confession answers afterwards every purpose of a title-deed.

B—.

NOTES OF THE MONTH.

GUERNSEY.

Court of Chief Pleas.—An ordinance was passed relative to the proceedings in *saisie*. It was originally mooted in the Easter Chief Pleas of last year, and referred to a committee consisting of the Attorney-General, Messrs. Carré and Le Botilly, Jurats, and Advocate MacCulloch. We noticed this subject at page 313 of our first volume, and we have now to observe that the proposed

change has been adopted. In substance, it amounts to this. Whoever declares himself *saisi propriétaire* shall, on or before the term next ensuing, pay ten per cent. on the amount of claims registered antecedently to his own, on pain of forfeiting his own claim.

Whatever facilitates the recovery of a just debt, is undoubtedly to be commended, and so far we

approve of the decision of the jurats. But if it be worth while to establish a principle, surely it ought to be carried out to its legitimate conclusion. Why the sum of ten per cent. has been fixed upon, in preference to any other rate, or rather, why the party declaring himself *tenant* was not called to liquidate, in full, all the debts due on the estate, appears to us quite unintelligible. This is mere tinkering with legislation. Nor is this the only point in which the ordinance is open to censure. So far as we can understand, it is to have a retrospective action, and to affect *saissies* now pending. If such is the intention, and we believe it is, then we do not hesitate to pronounce it illegal. The question, however, is likely to be soon decided, in a cause now before the court. The facts of that case are these. An individual holding real property in Guernsey formed a partnership with two persons in London, one of whom was the managing partner of a company, from whom he received £1,000 per annum, as a salary. A sum of money was borrowed from this company by the managing partner, who signed an obligation in their books of his *personal* responsibility for the loan. The individual residing in Guernsey granted a mortgage to the company for precisely the same sum for which they had taken the written security of their managing partner: he then granted a lease for twenty-three years to that managing partner, who guaranteed the regular interest to his company, and then executed a deed of partnership with the individual residing in Guernsey for twenty-one years. He omitted to pay the interest, on which the company entered a *saissie* against the Guernsey estate, although, as is plain from this statement, they could have paid themselves the interest, which was £300 per annum, out of the £1,000 per annum, and could have recovered their principal on the acknowledgment executed in the books before the loan was made. Why they adopted the course they have pursued, they will have, no doubt, to explain before his Majesty in council, when, probably, some discussion may arise on the retrospective character of this ordinance, and the limitation of the instalment to ten per cent.

Another ordinance imposed a fine not exceeding three hundred *livres tournois* on the importer of any horse, attacked with glanders within a twelve-month after its arrival in the island. We feel convinced that this fine will never be levied, for none but an idiot would import a horse subject to such a lengthened liability. The ordinance is profitable to the farmers, as they will now enjoy a monopoly, and the price of horses will rise considerably. We wonder if this ordinance is founded on the famous passage in the "Rights of Cattle," published in twenty volumes folio, which induced Lord Snaaffe to learn to read, in order that he might be able to peruse it.

Mr. Carré, jurat, was appointed supervisor of the harbour, or, more properly speaking, treasurer to the States, for the ensuing year. This office is usually held by the jurats in rotation.

The king's weight was let to Mr. Augustus Goupillot, a Frenchman, for £321, for one year, he being the highest bidder; but Mr. John Cochran, as the next highest bidder, presented a remonstrance against Goupillot, affirming that, as a foreigner, he was disqualified from holding any office of trust under his Britannic Majesty. The question will be decided by the court.

F. B. Tupper, Esq., constable of St. Peter's Port, presented a complaint, in the name and on the behalf of the town Douzaine, against the present mode of paying fees to the boatmen, and recommended the revival of the ordinance of the 7th April, 1834. The court declined making any change in the existing regulations. These are detailed at length in our last number among the *Memorabilia* of Guernsey for 1836.

Royal Court.—The court ordered the registry of an order in council to extend M. Kyan's patent, purchased by the Anti Dry Rot Company, to this island.

In the case of the wreck of the American vessel *Eliza*, the court awarded as salvage £906, exclusive of some other expenses incurred, which are to be paid by Mr. Le Marchant, the American consul.

Mr. Thomas Nicholas Barbenson, advocate at Alderney, was sworn into the office of attorney-general of that island, vacant by the promotion of Mr. Gaudion to the station of judge.

In the case of the *Lively*, a cutter of 48 tons register, but carrying a considerably greater burthen, the court awarded salvage to the amount of £253, there being twenty-one shares, divided between eighteen men and three boats, being at the rate of twelve guineas per share.

On the 3d of last October, the court of Alderney passed the following ordinance: "At the Chief Pleas after Michaelmas, held on the 3d of October, 1836, before O'Hara Baynes, Esq., acting lieutenant-governor and commander-in-chief in this island, present Messrs. Nicholas Barbenson, Judge delegate, John Gauvain, John Robilliard, Peter Mesny, and Lucas Le Cocq, jurats, and the douzainiers representing the rights of the people.

"The States having taken into consideration the seventh article of the regulations that publicans are enjoined to observe, which article permits them to entertain company, and retail liquors on the Sunday, on Good Friday, and on Christmas day, after four o'clock in the afternoon, to the great contempt of religion, transgression of the Sabbath, and the scandal of orderly and well-disposed persons; considering that through this indulgence these days are profaned, and a license given to dissipated characters to drink and make themselves merry during the remainder of these days, contrary to the fourth commandment, and to various precepts contained in the Holy Scriptures:

"The States, after the reading and the revision of the said seventh article, and to apply to it an efficacious remedy, after having heard the conclusions of his Majesty's law officers, on amending the said seventh article, have by these presents, prohibited, and do prohibit most expressly, all publicans to entertain whomsoever it may be at their houses at any hour of the days of Sunday, Good Friday, or Christmas day, whether to drink, or to make themselves merry (see *divertir*) under the penalty of thirty *livres tournois*, payable, one-third to the king, one third to the poor, and one-third to the informer. The publicans may, however, receive as formerly, and entertain at their houses, such strangers who may land in the island on those days. And in such cases alone shall the publicans be permitted to furnish drink to those who are eating their meals, and not otherwise.—Extracted from the Alderney registry, and signed Frederick Williams, his Majesty's greffier."

Against this ordinance, two of the Alderney publicans lodged a remonstrance before the Royal Court of Guernsey, by whom the ordinance was sent back, in order that the States of Alderney may have an opportunity of consulting the inhabitants of that island.

Keeping in view simply the legal question, it appears to us that the authorities of Guernsey have completely overstepped their power. The ordinance was enacted by the States of Alderney, in their legislative capacity, and the Royal Court of Guernsey, in its judicial capacity, suspends its operation. Now the appellate jurisdiction of Guernsey over Alderney is strictly confined to sentences passed in the judicial court of Alderney, nor does it extend to the acts of the States, or legislative body. Here, then, the Royal Court of Guernsey have established a precedent invasive of the rights and liberties of Alderney, and one to which we cannot suppose that they will tamely submit.

These remarks, it must be evident, apply simply to the naked question of law, and though, in this sense, we are satisfied that the Guernsey autho-

ries have egregiously erred even in entertaining a remonstrance not properly within their cognizance, and much more so in having adjudicated upon it; yet we agree entirely with the majority of the magistrates who objected to make the Sabbath day the object of penal enactments. It is true that many get drunk on Sundays at public houses, and the evil is to be deplored; but the zizzenal exclusion of the Alderney ordinance would prevent a mechanic, who has been working for six days in a confined room, from taking healthful recreation on the seventh day, not being able to find a house in which he could sit down to rest and take due refreshment. This is not justice to the temperate and orderly poor man.

Statistics of St. Peter-Port.—With the single exception of baptisms, as performed in dissenting and Wesleyan places of worship, the following returns may be depended on as correct:

	1835.	1836.
Marriages.....	113	115
Baptisms.....	968	988
Deaths.....	327	330

St. Peter-Port Sunday School.—At the annual meeting held of the subscribers to this institution, it appeared that the cost of the building, which was erected in 1827, for the joint use of the National and Sunday Schools, including the purchase of the land, was £23,392 17s. 10d. The debt at present remaining amounts to £1,017 7s. 7d.

Temperance Societies.—These establishments are rapidly progressing with the most marked success. During the present month, sixty-six persons have renounced vinous and spirituous liquors.

The best criterion, however, of the practical effects of this society will be the next returns of the Impôt, which ought to have diminished in proportion to the increase of water drinkers.

Official Appointments.—Mr. John Vidamour, whose services have justly gained for him the esteem of the whole public, was re-elected treasurer of the hospital; Mr. W. Brock, of Belmont, vice-treasurer, and Messrs. Thomas Barley, John Jones, and John Le Normand, were appointed directors.

Miscellaneous.—Guernsey has been visited by a severe attack of influenza, but though it has affected some member of almost every family, it has not been attended with fatal consequences, the epidemic being mild in character.—The rectorship of St. Andrew's parish, vacant by the death of the late Rev. Edward Moutant, has been accepted by the Rev. W. Guille, brother to our respected lieutenant-bailiff.—The first prize of the Royal Academy of Arts, held in Somerset House, London, was awarded to Mr. Douglas Cowper, of this island.—Mr. Churchill, surgeon to the town hospital, performed the operation of couching on an aged woman with success.

Married.—On the 9th instant, at St. Martin's church, by the Rev. Peter Carey, Thomas Lihou, Esq., to Amelia, daughter of the late Thomas Maingy, Esq.

Died.—On the 6th instant, Elizabeth, eldest daughter of John Savery Brock, Esq., and niece to our worthy bailiff, aged 28, in consequence of a severe cold, deeply regretted by her relatives and friends.

JERSEY.

The spirit of party, which rages with unmitigated fury between the Rose and Laurel factions in the island of Jersey, has exhibited itself during the last month on questions of vital importance to the political interests of the community; and as it is impossible that any decision of their Royal Court, or of their States, can be satisfactory to both the conflicting powers, it necessarily follows that their disputes can only be terminated by the final sentence of the judicial committee of the House of Lords. In reference to political feeling, Guernsey and Jersey are the very antipodes of each other; in the former, all is apathy and indifference; in the latter, the slightest spark is instantly kindled into a flame. In Guernsey, the bailiff and jurats exercise a jurisdiction, which we will not term "despotic," for the word is harsh and unpalatable; but truth compels us to declare, that no body of men in Europe wield an authority so extensive and so uncontrolled. As legislators, they make laws; as judges, they interpret those very laws; in their executive capacity, they cause them to be enforced. They further exercise an administrative power; they raise money by lotteries, and expend it as they please; the public roads are under their surveillance; the markets acknowledge their superintendence; they receive the rents of houses, built with the money voted by the States; from their body are drafted members of almost all the committees; in fact, you may turn about, and twist about with the locomotive agility of Jim Crow, yet to whatever point you look, there will you see the Royal Court, either integrally or fractionally, for verily it is multifarious and ubiquitous. The people of Guernsey, however, are quite content with this system, and affairs proceed in dull and lifeless monotony.

But the scene in Jersey is of an opposite description. Here is displayed on a miniature scale, but with a corresponding energy, that collision of parties which agitates the mother country. Indeed, this spirit is carried to an extent scarcely conceivable, and we almost fear lest our English readers, who have not resided in that island, should suspect us of exaggeration in stating, that the Rose and Laurel never meet at the same private dinners or balls, and that the judges most frequently decide cases, not according to evidence,

but according to the political tenets of the plaintiff and the defendant.

Two petitions are now pending before his Majesty in council. The first to which we shall allude, prays for a reform in the States and the Royal Court. It is an able document, the substance of which is to the following effect. The petitioners complain that public affairs are still regulated in the nineteenth century by the constitution granted by King John, which is totally unsuited to the present wealth, intelligence, and wants of the community. They lament the inefficient mode in which justice is administered, and pray for a well digested code of laws. They denounce the union in the same hands of judicial and legislative power, and complain that the magistrates are not qualified by education to sit on the bench, more particularly as there is no written law to guide their judgments. They pray for trial by jury in civil, as well as in criminal, cases. They urge as a grievance the monopoly of the bar, there being only six advocates or barristers allowed, with the two crown lawyers, "out of whom," the petition says, "only three, for a long period, have been in practice, the other three holding their appointments without ever attending the court." In reference to the constitution of the States, the petitioners complain that the magistrates or jurats, being elected for life, are freed from all legislative responsibility to the people, and that the rectors, holding their seats and votes, *virtute officii*, have no sympathies with the public, as their representatives. They proceed to state that, as the jurats and rectors are thus without any efficient check, the only real representatives of the people are the constables, and they complain of the mode in which the right of electing these officers is distributed. For example; the parish of St. Helier's, which contains nearly one half of the population of the whole island, and almost the whole of its commercial interests, has no more privilege in being represented than the least populous, and the least wealthy parish, in the country.

The second petition, now pending before his Majesty in council, relates to the elective franchise. The history of this affair may be summed up in few words. By the constitution of King John,

and by several orders in council passed on the 19th May, 1671, of the 9th July, 1735, of 28th March, 1774, of 15th July, 1813, and 15th July, 1835, and by ancient usage, the right of voting at the election of jurats, constables, and centeniers, has been vested in all persons possessing two quarters of wheat rent, or £40. On the 26th December, 1835, the States passed an act proposing to his Majesty to rescind articles 3 and 4 of the law sanctioned on the 15th of July, 1835. The effect of this change was to raise the elective qualification to six quarters, or £120. The present dispute, therefore, is between those who insist on the continuance of the old rate, and those who desire to establish the new rate. Mr. Perrot, the liberal, intelligent, and indefatigable constable of St. Helier's, is now in London to present a petition to his Majesty in council, signed by three thousand six hundred persons, (an enormous number in so small a community,) in favor of adhering to the old qualification, and we heartily wish him complete success in his truly patriotic mission.

We noticed in our last the application made to Judges De Carteret, Benest, and D'Auvergne to resign, in consequence of their age and infirmity. We have found a precedent on this subject, and though it immediately applies to Guernsey, yet, as it may be interesting and serviceable to the Jersey politicians, we print it.

On the 29th of August, 1655, it was ordered by parliament, that the jurats of the island of Guernsey, being twelve in number, do by turn exercise the place and office of bailiff of that island, and that each of them in his course do hold the said office for the term of one month, and no longer. And the present bailiff, Peter de Beauvoir, Esq., do begin the first month, to commence on the 1st of October next, and, after that, the jurats do take their turn according to their seniorities. And as there are five of the present jurats of the said island who, by reason of their great age and infirmity of body, are disabled from serving in their place, viz. Messrs. Guille, Blondel, Brehaut, Thomas Carey, and James Brehaut, it is also ordered by the parliament that the said individuals be dispensed with from being any longer jurats, in respect to their great age and infirmity of body. And the States of the island are required to proceed to the election of five other persons in their stead. Signed, Henry Scobell, clerk of parliament.

We have pleasure in noticing the continued prosperity of the mercantile marine of Jersey, a striking proof which is shown in the trade of cod-fish. From the 29th of June to the 10th of December, 1836, thirty-two vessels from the port of St. Helier's, of various tonnage, were engaged in this traffic, their united cargoes amounting to 66,000 quintals. This fish is principally exported to the Brazils. The following statement shews an increase in 1836 over 1835 of 7,373 quintals:

Years.	Tubs.	Quintals.
1835.....	14,346, equal to	16,395
1836.....	{ 16,658, old fish	
	{ 10,951, new " }	22,667

So brisk is this single department of the Jersey trade, that the sum of £23,243 9s. has been paid to different coopers for making the tubs, and packing and pressing the fish into them. The price paid for each tub, when ready to be taken on board, is 2s. 2d. So great is the demand that Mr. Elias De Ste. Croix, a spirited cooper, is about to manufacture them by a steam engine.

We regret to report that the States of Jersey have resolved on the revival of lotteries,—a hateful, peculating, and dishonest mode of raising revenue. It is a curious contrast to witness the Judges of the land encouraging public gaming, which saps every principle of morality, and reprimanding criminals at the bar for not practising virtue. They flich the hard earnings of the poor

from their pockets, and then banish them from their native spot, because they cannot find bail. How are the clergy to reform the ignorant and the wicked, if the civil authorities drive a traffic in speculations, which produce habits of carelessness, extravagance, and vice, and annihilate all prudence, economy, and moral restraint?

It is gratifying to observe that, amidst the far extended commercial transactions of Jersey, the love of the arts and sciences is warmly cherished. A museum has recently been established under such favourable auspices, as augur the best for its permanent prosperity. The first contributions, being Egyptian antiquities, were formerly the property of Mr. Gosset, who collected them when visiting the country of the Pharaohs. The lieutenant-governor has lent his patronage to the infant undertaking, and his example has been followed by many of the most respectable and influential of the inhabitants. We wish the institution every possible success, not simply as a scientific and literary establishment, but because we are satisfied that, as a secondary aid to the cause of religion and morality, nothing is more serviceable than those objects of art and science which detach the thoughts from low and grovelling pursuits, and elevate the mind to the sober contemplation of the wonders of nature, and the more prominent mechanical inventions of man.

Colonel Le Couteur, of this island, so eminently distinguished for his scientific researches in agriculture, received a vote of thanks from the Central Agricultural Society of London, he having dedicated to them a work, now on the eve of publication, "On the Varieties, Properties, and Classification of Wheat." When the work is printed, we shall give it an early review, as connected with the articles on the "Agriculture of Guernsey," published in the third and fourth numbers of this Magazine, and the article on the "Commerce of Jersey," which appears in this present number.

An order in council was received by Sir John De Veuille, bailiff, ordering the registration of Mr. Kyan's patent for the preservation of vessels from dry rot.

Mr. Whitfield, who was condemned by the Royal Court of Jersey for having defrauded the revenue, has been fully exonerated by his Majesty's commissioners of customs, who found, after the strictest investigation, that his commercial transactions were without a blemish. How matters are to be arranged with Mr. Nicolle, jun., ex-receiver of the Impôt, whom the same *just and clear-sighted* tribunal sentenced to pay £1,176 19s. 6d., the assumed amount of Mr. Whitfield's defalcations, time will show; but the fact itself is a strong argument in favour of reforming the construction of the Royal Court.

Notices of Official Appointments.—Mr. John Chevalier was elected centenier in the parish of St. Helier's, in the place of Mr. Ching, who had retired from that office. Mr. Chevalier had 207 votes; his opponent, Mr. Charles Bisson, had only 6 votes. Majority, 201 votes.—At a parish meeting held at the Militia Arsenal, Mr. Thomas Huard was named inspector of the roads, for the Mont Cochon Vingtaine. Mr. Letot was elected to the office of military vintgenier, (the officer who receives the fines for absentees,) by a majority of 7 votes, the numbers being 12 to 5. His opponent, Mr. Prawl, was objected to by Colonel Le Breton, on account of his youth.

Miscellaneous.—Two plans were presented to the committee of harbours, one by Mr. Francis Le Sueur, the other by Mr. Elias Le Gros, for the enlargement and deepening of the harbour. They were left for the inspection of the committee.—Mr. George Deslandes launched a brig of 160 tons.—The hospital committee decided that the director of that asylum should no longer have his family to reside with him in that building.

THE

GUERNSEY & JERSEY MAGAZINE.

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RISE AND PROGRESS OF THE LEGISLATIVE ASSEMBLIES IN FRANCE.

UNDER the first race of the kings of France, the legislative assemblies were held annually; such, at least, was the principle of their organization, and whatever intervals occurred between those meetings, are to be ascribed to internal rebellions or foreign wars, and to the character of the reigning sovereigns, or of the mayors of the palace who ruled in their name. A legislative council was held at Paris in 615, under Clotaire the Second, in which the temporal barons sat with the bishops, and in this mixed assembly, secular and ecclesiastical affairs were discussed. At this time, a diocese corresponded with a modern department, and the bishops discharged, in many respects, the same duties which are now performed by the prefects. Subsequently, several dioceses were consolidated into one single province; and the duke or earl, who commanded over this united district and the towns it contained, exercised an authority analogous to that now confided to the military commandants.

These councils continued, during several centuries, to be the sole national assemblies of France; in them were framed the capitularies which had the force of law, whether for a specific province, or for the whole kingdom. The same form of legislature and popular representation was adopted, at this period, in Germany and Italy, as well as in the Peninsula. At the council of Valence, for instance, held in 890, Louis, son of Boson, was elected king of Arles, and the principal reason assigned was, that he descended from the imperial family. The kingdom of Arles, (as were all the other petty states which were fragments of the empire of Charlemagne,) was elective and hereditary; elective, because the kings could only ascend the throne through the choice of the national representatives; hereditary, because the electors always chose a member of the reigning family.

Charles Martel had to fight for the independence of the nation. Attacked on all sides, he marched alternately against the Bavarians and the Neustrians, and then hastened to arrest the progress of the Moors, who, rushing from the extremity of Spain, had already approached Tours. He defeated them all, slew their chiefs, and liberated the country : but he forgot the privileges of the people. He wished to do good without consulting the nation, and, like all military conquerors, he respected no argument but the sword. He saved his country from the yoke of the stranger, but fettered it with his own chain ; for he could not reconcile victory with liberty.

The clergy then possessed the vast bulk of the national wealth. Charles Martel seized it to defray the expense of his expeditions, and he did so with impunity, a fact which proves that, in an age called barbarous, fanaticism was not so dominant as might be expected, as the ecclesiastical usurpers of the public property found neither defenders nor avengers among their vassals and serfs.

Charles Martel died ; Pepin succeeded him ; the clergy obtained redress. Now less restrained and less fearful, they protested against the violation of the ancient forms of government,—complained of the abolition of the councils and the “*Champs de Mai*,”* by the conqueror of the Saracens,—and obtained from the new monarch, who was interested in managing them, the re-establishment of the national assemblies, to which he gave the name of Parliaments.

These assemblies were not held in any fixed place. The sovereign convoked them either at the spot in which he resided, or at which some important dispute was to be settled. In the beginning, they were very tumultuous ; the members were armed, and blood was frequently shed, where quiet argument was disregarded. But under Pepin, these assemblies, being one half composed of bishops and abbots, and the other half of old warriors who were entrusted with the administration of justice, were more peaceable in their conduct, and more calm in their deliberations.

Too much business devolving on the spring meeting, another was held at the commencement of autumn. When the king did not preside in person, the mayor of the palace superintended the debates. The result of the deliberations was read and submitted to the people, and when it was duly sanctioned, it became law. Different articles were thus successively proposed, and those that were adopted were finally registered in the number of the capitularies.†

* These assemblies were called “*Champs de Mai*,” and “*Champs de Mars*,” according to the month in which they met.

† When the people disapproved of the measures proposed, they kept a profound silence ; when they assented, they showed their approbation. To this last mode of expressing their sentiments, the old laws applied the word “*annodation*,” derived from the Latin verb “*annuo*,” to assent, or nod.

The parliaments were ambulatory, following the king in his journeys and campaigns, during the whole period of the second race; but Louis the Young began the practice of convening them under a covered building, instead of in the open air, and most frequently at Paris. Louis the Ninth, the French Marcus Aurelius, gave up his own palace to the representatives of the nation, one of the salons of which is still called the "Hall of St. Louis." The great chronicle says that this king, in 1240, assembled the peers, prelates, barons, and deputies of substantial towns, to advise on the best means of subduing Hugh of Lusignan, who refused to pay homage to the crown. This assembly was the first in which the *tiers état* had a seat, though it is generally thought that their first appearance does not date before 1301.

Philip the Fourth, surnamed the Handsome, published an ordinance calling on the parliament to assemble, according to custom, twice in every year, and commanding them no longer to quit the capital; but he did not confide to them the affairs of general administration. By favouring each of the three constituent members in turn, he curbed and nullified the privileges of the united body, which dwindled down into a superior court of justice, but still only empowered to adjudicate on private causes; while political interests and matters of serious magnitude were exclusively confided to the assembly of the three orders, to wit, the clergy, the nobles, and the commons, who, born from the ashes of the *Champ de Mai*, took the name of "*États Généraux*," or "States General."

So long as there were only two classes in France, the *lords*, possessing fiefs, and alone entitled to bear arms, and the *serfs*, who lived and died unknown, the "*Champs de Mai*" could not, with any propriety, have been designated the "*Assemblée Nationale*," since the mechanics and the tradesmen, who form the largest and the most productive class in every nation, were not included among the members of those primitive councils. It was not before their value was generally appreciated, and that they themselves, emerging from a state of stupor, began to claim and command respect; it was not before the kings, in order to tame the pride and insolence of the nobility, had enfranchised that class, called "*les mains mortables*,"* and encouraged the institution of guilds and municipal corporations, that the *States General*, truly and correctly so termed, were known, formed of the three sections of the inhabitants who contributed to the wealth and defence of the empire.

The States of 1301 were held in the church of Notre Dame de Paris. Three causes led to their convocation; the first was the war in Flanders,

* The expression "*les mains mortables*" denoted that class who lived in servitude: they could not sell, exchange, or otherwise transfer their property, which, for this reason, was said to be in a *dead hand*.

to prosecute which, money was required ;* the second arose out of the necessity of regulating the currency, of which the value had been changed ;† the third was on account of the excommunication fulminated by Pope Boniface the Eighth, who insisted that the temporalities of the kingdom were subject to his supervision.‡ A spirited protest was made in the name of the "*tiers état*" to this assembly, by whom, however, matters were allowed to be regulated according to the wish of the sovereign, and the supplies were granted to march against the Flemings, who were reduced into submission.

In 1303, the States General were again convened to terminate the dispute between the king and his holiness. Clement the Fifth, who had transferred the Papal See to Avignon, declared, in order to ingratiate himself with the French monarch, whose protection he invoked, that the Bull *Una Sanctum*, which Boniface the Eighth had fulminated against Philip the Handsome, in no respect infringed on the liberties of the kingdom. It was this pope who abolished the order of the Templars.

In 1308, a new convocation of the States General was held. It met in the town of Tours. The records of this meeting show that the "*tiers état*" took an active part in the discussions.

In 1314, war with Flanders was rekindled, and the funds raised from the confiscated property of the Templars, who were burned alive, being exhausted, it became necessary to obtain fresh subsidies from the three legislative orders. The sittings were held in the area of the *Sainte Chapelle*, at Paris, and it was deputed to Enguerrand de Marigny to explain the nature and extent of the royal wants. He then little thought of the fate which awaited him. Stephen Barbetto promised aid on behalf of the city of Paris, which he represented, and the deputies of the towns followed his example.

In 1317, a question arose which had not been mooted since the commencement of the monarchy. During more than eight centuries, the crown, with only three exceptions, which have been scarcely noticed by annalists and historians,§ had always passed, uninterruptedly, from male to male, and it had never been solemnly decided whether females were entitled to the royal succession. The *salic law*, which had ob-

* This war was waged against Guy, Earl of Bourbon Dampierre, who wished to declare himself an independent prince.

† A livre of the thirteenth century was worth three livres of the fourteenth century, which depreciation destroyed the credit of the state, and plunged the people in distress.

‡ The Pope added that the presentation to benefices belonged to him, and that that branch of the royal prerogative called the "*regale*," was an usurpation. John D'Ossa, who afterwards became Pope under the name of John the Twenty-Second, renewed this pretension. The "*regale*" was the right claimed by the king of receiving and appropriating to his own use the revenues of vacant bishoprics.

§ In the years 557, 566, and 878.

tained among the primitive Franks, a law uncertain and obscure on many points, was precise on this head, and tradition, as well as public opinion, fortified its authority. The companions of Clovis, joint conquerors with himself, having seized upon all the most considerable fiefs, admitted none to possess them by inheritance but males, whom alone they deemed able to defend them. Their kings, who, in the origin, were merely military commanders-in-chief, and supreme owners of the principal baronies, adopted similar sentiments, springing out of similar motives. This exclusion of females from all participation in royalty had been recognized at the death of Louis Le Hutin, and it did not seem that the accession of Philip the Long would have been attended with any difficulty. But the nobility wished to enlarge their privileges; Charles, Count de la Marche and uterine brother of Philip, seconded by the other princes of the blood, insisted on returning to the old form of elective monarchy, and protested against the coronation which was about to be performed at Rheims. Nevertheless, the ceremony took place, but the gates of the cathedral were locked, and the interior guarded by soldiers.

Philip, on his return to Paris, convened an assembly of the nobility, prelates, and burgesses in the capital, who recognized him as king, and formally declared that *to the kingdom of France no female could succeed*. This is the most solemn law that exists on the subject, though perhaps not the most reasonable, for the thrones of Europe have seen queens and empresses who, in wisdom and popularity, have equalled the most eminent kings. However this may be, at the meeting in question, an enormous tax being voted to purchase from the lords of fiefs the right they claimed of coining money, and there being many difficulties attendant on its collection, Philip the Long was compelled to summon the States General to obtain their sanction to this assessment.

But the occasion on which this national assembly most conspicuously displayed its power and usefulness, was at the death of Charles the Handsome, who, dying without any direct heir to the throne, put into competition the rival pretensions of the princes of France and the princes of England. As this is a most interesting point in history, we must be excused dwelling on it at some length.

The widow of the deceased King, Charles the Handsome, was pregnant. Had she been delivered of a son, the succession in the male line would have been assured, but she brought forth a princess, in consequence of which Edward the Third, king of England, who was the son of Isabella, herself a daughter of Philip the Handsome, attempted, in the right of his mother, to seize the crown. He lavished gold and promises to obtain his end. He gained over to his party the nobles and the bishops, but he found the mass of the people hostile to his claims,

and incorruptible by his bribes. Philip of Valois, whom the late king had appointed regent, assembled the States General, submitted this important question to their wisdom, and was himself immediately invested with sovereign power, in trust to exercise the same faithfully according to the laws of the kingdom. Robert of Artois, who afterwards abandoned his cause, served him at this juncture with zeal, and, displaying a patriotism which he afterwards belied, he repulsed with courage and eloquence the specious arguments, the winning flatteries, and stern threats of the ambitious son of Isabella.

War broke out between the two nations ; but the war was national for France, for it involved the support of a monarch whom the principal citizens had elected and crowned. It was, however, most disastrous : indeed every branch of the house of Valois was fatal to France ; so true it is that *good fortune* does not wait on *justice*, and that there are times when the best matured plans are followed by the most ruinous results.

To defray the expenses of the war, to arrest the victorious career of Edward, and repair the disasters caused by the battle of Crecy, it became necessary to levy contributions under the sanction of the States General. Then was first introduced the tax upon salt, so onerous to the poor.* The collection of it was confided to the Lombards. They soon enriched themselves by their exactions, but were quickly despoiled of their unjustly acquired gains. As they had levied the rate without mercy, so were they mulcted without the slightest regard to fairness, and the king, towards the close of his reign, banished the Italian financiers, confiscating to his own use the large advances they had made to the treasury.

In 1350, soon after his coronation, King John convened the States General, and demanded from them fifty thousand florins. In 1355, he again assembled them, and solicited further sums, which were raised under the superintendence of three deputies of each order. In 1356, was created the *capitation* tax, or personal contribution, by the States assembled at the *Château de Ruelle*, near Malmaison.

King John had the reputation of being a skilful warrior, but he merely possessed personal courage, which he carried to the verge of rashness. He was taken prisoner by the English at the battle of Poitiers. His son Charles, afterwards Charles the Fifth, assembled the States to concert measures for breaking the chains of his father. For this purpose funds were required, and they were easily obtained. Several towns, and Lille in an eminent degree, displayed an enthusiastic generosity. The English demanded and received six hundred thousand

* The Parisians, who laugh and joke on the most serious subjects, called Philip, in allusion to this impost, the author of the *salic* law.

golden florins, as the ransom of the captive king. But the representatives of the nation, after having thus raised this heavy sum, insisted first, that the Dauphin, as regent, should form a council of ministers appointed by themselves; secondly, that the standard of money should be fixed; and thirdly, that a judicial enquiry should take place into the conduct of the government contractors, who at this time lived in the most ostentatious luxury, insulting, by the contrast, the misery of the people. These conditions show that the monarchy of France was not then absolute and unlimited.

An advocate, Jean de Saint Onde, was appointed receiver general of the subsidies to be raised for the ransom of the king, and the province of Languedoc made the following curious regulation: "Until the king be set at liberty, neither men nor women shall wear gold or silver ornaments, pearls, furs, or embroidered dresses; nor shall any one use at table silver plate, or wear coloured clothes; no fiddlers shall play, and no mountebanks exhibit their tricks.*

In 1357, the States General were again assembled. The province of Auvergne sent five deputies; one for the clergy, one for the nobility, and three for the commons, or *tiers état*. It is probable that all the provinces sent deputies in the same proportion. In the following year the deputies of the three orders were again convened at Compiègne, but few attended, excusing themselves on account of the unsettled state of the country, and from the fear of being made prisoners by the different parties of English, who were spread throughout the open districts. The representatives present, however, fixed the proportion that each province was to contribute towards the ransom of the king. On the first of May, 1359, another assembly was held, at which Charles, the Dauphin, presided. It was held in the great hall of the palace. The regent, seated on a marble table, read the treaty of peace, stern and humiliating, proposed by the English. The audience were fired with indignation. They shouted from all sides: "Ruin or death, rather than dishonour." The spirit of national resistance was kindled in every province; gifts of money were prodigally offered; public credit was raised by this burst of feeling; and the English, astonished at this outbreak of popular fervour, concluded the treaty of Bretigny, and King John recovered his freedom.

We now come to the reign of Charles the Fifth. From his long experience of political affairs, the nation entertained hopes of being governed by a wise and prudent monarch. He fully justified these expectations. His temper was pacific, and he made foreign nations respect his crown by being prepared for war, if the national honour were

* These details we find in a curious work written by Delandine, in 1788, on the States General of France.

exposed to insult. However, this monarch, so much admired, and who, when Dauphin, had frequently convened the States General, only summoned them on one occasion, and that was when he was crowned. In the hour of difficulty, and when he wanted money, he was prompt to call them to his aid; but he treated them with neglect when the government, after having been extricated from imminent danger by their liberality, was enabled to pursue its course with the usual resources, and the customary taxation.

On the death of this king, twenty millions were amassed in the castle of Melun, but the Duke of Anjou, appointed regent during the minority of Charles the Sixth, seized on the whole. This audacious theft, the complement of so many others, was one of the chief causes of the misfortunes which afterwards befel the country. To meet the public exigencies, created by the rapacity of the young king's four uncles, the Dukes of Anjou, Berry, Burgundy, and Bourbon, aids and subsidies were indispensable, and then it was determined to put in force the regulations concerning the convocation of the three estates of the realm. Secret letters were dispatched to the provinces,—the deputies arrived at Paris, and murmured at the dilapidated state of the finances. The Parisians made common cause with the deputies, in the hope of seeing the amount of taxation diminished. The regency denounced them as rebels. A civil war ensued, and under this reign, as well as the following, the rage of party filled the prisons with captives, and drenched the land with blood.

In 1412, the States General were assembled at the Hotel St. Paul, in which the French kings then lived, on the site of which now stand the barrack of Ave Maria and the college of Charlemagne. The Chancellor Jean de Nesle, who was afterwards disgraced, but who ought to have been hanged, demanded a most enormous amount of money, which, however, was granted from the dread of foreign invasion.

The hour now approached of that fearful revolution, which was about to place a stranger on the throne, in the place of the ancient dynasty. Isabella of Bavaria, who, to the most licentious vices united the blackest heart, delivered into the hands of her paramour the country which had adopted her, and, during fifteen years, the Duke of Bedford was regent and master of Paris, and governed the finest provinces in France in the name and on behalf of his brother, the king of England.

Charles the Seventh succeeded his father, who died insane, betrayed, and miserable. He was crowned in 1422. History has conferred on him the epithet of *Victorious*, and shows him to us standing between two women, one of whom incited him to glory by her beauty and her attachment, which the other firmly established his throne by the power of virtue. These two females, equally inspired with patriotic zeal,

though they displayed it in very opposite forms, met with a very different fate. The former, Agnes Sorrel, lived happily, and died, loaded with wealth, on a bed of roses; the latter, Jeanne de Vaucouleurs, better known in history as Joan of Arc, the Maid of Orleans, passed from obscurity to the command of armies, and perished on a bed of flames, abandoned by the ungrateful prince whom she had caused to be crowned at Rheims.

Charles the Seventh, in 1425, assembled the States General at Melun-sur-Gèvre.* The object was to arrange measures for repressing the depredations of the military, which, in many districts, had been carried to so great an excess, that the farmers had ceased to cultivate the ground. The rural population had crowded into the towns, hoping there to find an asylum against the ferocity and avarice of these plunderers.

In 1440, the States General were convened at Orleans. There it was decided to sign a truce with the English; to reform the system of military discipline; on these conditions a tax was granted; it was to be raised on crops and manufactured goods, and it was called *la taille de la gendarmerie*. At this time it was that the pay of the soldiers was increased, and a regular standing army, paid by the people, was formed.

In 1464, the Dukes of Burgundy and Brittany were in open rebellion. Louis the Eleventh, who, by the blackness of his heart, tarnished the qualities of his head, assembled the States General at Tours, in the hope of uniting his subjects against the revolted princes. The deputies of the towns received with applause the apology that the king himself made for the irregular administration of his government; but the Duke of Orleans, then old, and who was believed to have honest intentions, made an unexpected harangue on the abuses of the royal power. This unexpected attack drew down upon him universal censure; he was dismissed from the royal circle with contumely, and became an object of hatred to the people; he was seized with fever, and died two days after he had delivered his speech.

It being impossible to compress this subject into one article, without the omission of other matter, we must postpone its conclusion to our next, the design being to render it an introduction to those legislative changes which occurred before the memorable convocation of the States General at Versailles, on the 27th of April, 1789.

* There still remains one tower of the old castle of Melun, in which Charles the Seventh long lived with Agnes Sorrel. It is now a prison.

HYMN TO HARMONY.

I.

DAUGHTER of Heaven ! whose magic call
 From nothing made this wondrous All
 In beauteous order rise,
 Thou, who, at Nature's earliest birth,
 Saw vernal fragrance crown the earth,
 And brighten all the skies.

II.

Thee I invoke, whose potent sway,
 Has bound the land, the air, the sea,
 In one eternal chain ;
 Come, then, O come, celestial maid,
 Be present to thy votary's aid,
 And harmonize the scene.

III.

E'en as the sun incessant pours
 On herbs, and trees, and fruits, and flowers,
 His vivifying ray ;
 So may thy hallowed fire impart
 Fresh joy and gladness to the heart,
 Along the realms of day.

IV.

When Folly, with her hydra hand,
 Extends her empire o'er the land,
 And stalks with giant stride,—
 O ! prop fair Virtue's sinking cause,
 Protect our rights, defend our laws,
 And stem Corruption's tide.

V.

The starry host shall fade away,
 Eternal nature shall decay,
 While thy prolific beam
 Rolls on, and shall for ever roll,
 From day to day, from pole to pole,
 An unexhausted stream.

VI.

Ere space was space, or time was time,
 Thy power, thy energy sublime,
 With dazzling lustre shone ;
 And shall, when time and space are past,
 In undiminished glory last,
 Immortal and alone.

VII.

Come, then, and let thy daughter fair,
 Divine Benevolence, be near,
 And Fortitude, thy friend ;
 Let firm Integrity be nigh,
 And Freedom, with unflinching eye,
 Thy solemn steps attend.

VIII.

That Freedom which, in days of yore,
 Rebuked the impotence of Power,
 And vanity of Pride,—
 Warmed by whose love great Tully taught,
 And Cato bled, and Scipio fought,
 And virtuous Brutus died.

IX.

That cause whose animating fire
Our great forefathers did inspire
To vindicate their right,—
O! let us now transmit it down,
From age to age, from sire to son,
Begemmed with radiant light.

X.

And when, at Fate's resistless name,
The spark that warms thy vital frame,
Ascends its kindred skies;
Then, like the Phoenix from the fire,
An offspring, beauteous as its sire,
Shall from thy ashes rise.

BLANCA; A TALE OF FLORENCE.

ABOUT the end of the fifteenth century, Thomas Buonaventuri, a youth of Florence, of a creditable family, but without fortune, went to live with a merchant of the same country, who had settled at Venice; the merchant's house was opposite to one that belonged to a noble Venetian, whose name was Barthelemi Capella. In the house of Capella lived a young lady of great beauty, called Bianca. She was watched with great circumspection, but Buonaventuri frequently saw her at the window; he had not the least hope of a nearer interview; yet, by a natural, and almost necessary impulse, he did all that could be done, under such circumstances, to attract her attention, and express the passion with which she had inspired him: he was young and prepossessing in his appearance; she very soon ceased to be indifferent; and, after long negotiations, the lovers found means to accomplish their wishes. Bianca went every night, after the family were retired and asleep, to the chamber of Buonaventuri in the merchant's house, by means of a side door, which she left ajar, and by which she returned before day, without being seen by any body.

After this had continued some time, custom made her less cautious, and one night she staid with her lover till the morning was farther advanced than usual. It happened that a baker's boy, who, according to the custom of the country, was taking bread from a neighbouring house to carry it to the oven, perceived the little back door, by which Bianca had come out, to be ajar, and supposing it to have been left open by accident, he shut it.

The young lady came a few minutes afterwards, and found it fast; in the consternation and distress which this accident produced, she returned to the house she had just quitted, and knocking softly at the door, was let in by her lover, to whom she related what had happened. Gratitude and love instantly determined him to sacrifice every thing to her safety, and he immediately quitted his situation, and retired with the lady to the house of another Florentine, where they remained concealed with the utmost care and precaution, till they found an opportunity of escaping to Florence.

At Florence, Buonaventuri had a small house in the Via Larga, near to St. Mark's, and over against a convent of nuns of the order of St.

Catherine. To this little dwelling he retired, after having married his companion, and lived for some time, in strict privacy, for fear the republic of Venice, at the solicitations of Capella, should cause him to be pursued.

Francis Maria, the great duke of Tuscany at this time, was a native of France, the son of Cosmo the First, and father of Mary de Medicis ; he had married Jane of Austria, daughter of the Emperor Ferdinand, and widow of the King of Hungary ; she was a princess of great merit, but, being at this time past her youth, the duke neglected her for other women. One of the officers of the court was the confidant of his pleasures, who had a wife not less zealous to render herself useful than himself.

The arrival of the fair Venetian was known in Florence, and the rumour of her adventure, and her beauty, excited in the duke a strong desire to see her. He used every day to walk before the house to which she had retired, and, as she had no amusement but looking out of the window, it was not long before his curiosity was gratified ; she was indeed half veiled, but he saw enough to judge of her beauty, of which he became violently enamoured.

His confidant, perceiving that his passion was insurmountable, began to concert measures for the gratification of it, and engaged his wife to assist in the transaction. The misfortunes which Bianca had already suffered, and those to which she was still exposed, gave this artful woman a pretence to insinuate that she had something of importance to communicate to her, and for that purpose invited her to dinner. Buonaventuri was some time in suspense whether he should suffer Bianca to accept the invitation ; but the rank of the lady, and the need in which he stood of protection, at length got the better of his doubts and his caution. Bianca was received with the most flattering kindness and attention ; she was prevailed upon to relate the story of her distress, and was listened to with an appearance of the most tender concern ; obliging offers were made her, and pressed with so generous a friendship, that she could not refuse to accept of some presents from the lady.

The duke, informed of the success of the first visit, hoped that he might be present at the second. Another invitation was soon sent to Bianca ; and, after new marks of esteem and regard, new pity for her misfortunes, and fresh praises of her beauty, she was asked if she had no desire to pay her court to the grand duke, who, on his part, was impatient to become acquainted with her, having already had an opportunity to see and admire her. Bianca had not sufficient fortitude or virtue to forego this new and unexpected honour ; which, though she at first affected to refuse, her crafty seducer discovered, by the expression of her eyes, she wished to be urged to accept. Just at this crisis it was contrived that the duke should come in, without any appearance of design, and Bianca was charmed with the modesty of his address, the warmth of his praise, and the liberality of his offers. Other visits succeeded, and a familiarity insensibly grew up ; some presents, which she could not refuse from her sovereign, improved the duke's advantage, and the husband himself did not think it prudent to break a connection which might be at once innocent and lucrative. The duke was not likely to stop short in so good a road ; he gained new influence over the wife, by advancing the husband ; and at last accomplished his wishes

so much to the satisfaction of all parties, that, as the Italians express it, he, Bianca, and Buonaventuri, made a *triangulo equilatero*. The husband soon became familiar with his new condition, and removed with his wife to a fine house in a street that leads to the bridge over the Arno, called Trinity Bridge. Buonaventuri solaced himself for the loss of Bianca by forming new connections, and he associated with the nobility of the country; but a change of fortune so sudden, and so great, rendered him insolent, overbearing, and presumptuous, even in his behaviour to the duke himself, and created him so many enemies, that he was at length assassinated near the bridge that led to his house.

The duke and his mistress were not much afflicted at this accident; she now totally lost whatever timidity or reserve remained, and appeared in public with a magnificent equipage, setting honour and shame at defiance.

Jane, the grand duchess, was extremely mortified at the conduct of her husband, and provoked by the pride of her rival, yet she suppressed both her grief and resentment; which, however, secretly subverted her constitution, and at length put an end to her life.

The death of the grand duchess opened new views to the ambitious Bianca, who had acquired an ascendancy over the duke which rendered him wholly subservient to her will, and she now exerted all her art to induce him to marry her. The Cardinal Francis de Medicis, who was next heir to the dukedom, if his brother died without issue, opposed this marriage in vain, and Bianca, in a short time, became grand duchess of Tuscany. She soon became desirous to be the mother of a child, who might succeed the grand duke in his dominions; she caused masses to be said, and astrologers to be consulted; these, and many other expedients, proving ineffectual, she resolved to feign a pregnancy, and introduce a spurious child, of which she would at least have the honour. To assist her in the execution of this project, she applied to a cordelier of the monastery of Ogni Sancti, who readily undertaking the affair, she feigned transient sickness, nausea, and other symptoms of pregnancy, took to her bed, received the compliments of the court, and the duke himself expressed great satisfaction at so happy an event. Her pretended reckoning being up, she suddenly alarmed her people in the middle of the night, complained of labour pains, and inquired impatiently for her confessor.

The Cardinal, who suspected the artifices of his sister-in-law, had her so diligently watched, that he knew all her motions; as soon as he was informed that her confessor had been sent for, he repaired to her anti-chamber, in which he walked to and fro, repeating his breviary. The duchess, hearing he was there, sent him a message entreating him to retire; because she could not bear that he should hear her cries which might be forced from her by her pains. The cardinal answered, "Let her highness think only of her own business, as I do of mine." As soon as the confessor arrived, the cardinal ran to him, crying out, "Welcome, welcome, my dear father, the grand duchess is in labour, and has great need of your assistance." At the same moment he caught him in his arms, and, on embracing him, he perceived a jolly boy just born, which the good father had got in his sleeve; he instantly took the child from him, and cried out loud enough to be heard by the duchess, "God be praised, her highness is happily delivered of a son," at the same time showing him to all present.

The grand duchess, enraged almost to distraction at this exposure and disappointment, determined to be revenged on the cardinal; and the grand duke, whose passion had suffered no abatement, soon gave her an opportunity.

They were all three on a country party at Poggio Caino, and dined at the same table; the cardinal was particularly fond of *blanc manger*, and the duchess procured some that was mixed with poison, and had it served up. The cardinal, who had many spies about him, was informed of it; he sat down at table, however, as usual, but, notwithstanding the most pressing solicitations of the duchess, he would not touch the *blanc manger*. "Well," said the duke, "if the cardinal will not eat it, I will," and immediately took some on his plate. The duchess not being able to prevent his eating it, without disclosing her crime, perceived herself to be undone for ever; and to avoid the resentment of her brother-in-law, the cardinal, she swallowed the remainder of the poisoned dish herself, and both she and her husband died together, on the 21st of October, 1587. The cardinal succeeded to the dukedom, by the name of Ferdinand the First, and reigned till 1608.

THOUGHTS ON GARDENING.—No. 3.

WE shall endeavour in this article to explain the different modes of grafting, by which trees are improved from wildings to yield good fruit. The horticulturist, who desires to carry this practice successfully into effect, should fill his garden with the stocks of all sorts; with such as are pomiferous, or apple-bearing; pruniferous, or plum-bearing; bacciferous, or berry-bearing; coniferous, or cone-bearing; nuciferous, or nut-bearing; latidiferous, or mast-bearing; and siliquiferous, or cod-bearing.

The wildings which we are to graff upon, we call the stock, and the twig or shoot which we are to graff upon the stock, is called the scion, or graff; every scion or graff, when it is skilfully united with the stock, will take root in it, and retain the virtues of its mother plant.

Some kind of plants will more readily join by eneying or inoculating, than by grafting; and there are others, which will not take by either of these ways, but by inarching only; again, there are some which will only unite by approaching. All these separate modes we shall notice in order, observing, however, in the first instance, that nature gives us great latitude in grafting, so that we may graff apples upon pears, and pears upon apples, and both these on the common whitethorn, upon which we may also graff medlars, the lazeroli, and services, and upon such grafts we may also superinduce the quince; all these may be grown upon one tree by whip grafting, by cleft grafting, or stock grafting, by inoculating, eneying, or budding.

The first sort of grafting which we shall mention, is that which is called whip grafting, or rind grafting; this is performed by paring off part of the bark on one side of the stock, either after we have cut off the head of the stock, or while the head remains on the stock, for it is done both ways; if we cut off the head of the stock, then the bark we remove should leave the wood bare about an inch and a half from the place where the head is cut off, downwards towards the root, and as wide as the scion which we design to join with it; then we must, with a knife, slit the

stock down from a little below the place where the head is cut off, guiding it with the grain of the wood, till we have made a tongue on the side of the stock, where the bark is pared, about an inch long. This being done, we are next to pare off the bark from one side of the scion, and then with a knife make a tongue in the wood of the scion, of such a length as may fit exactly with that in the stock. Having placed them together, so that the barks of both the scion and the stock join, we must first tie them with rush matting, and cover all the wounded part with fine loam well mixed with cow dung; or else it may be covered with the following mixture. To four ounces of bees wax add as much tallow, and when these are melted together, and amalgamated, add about one ounce and a half of rosin, which must be applied, when blood warm, with a soft brush. In this last case, we need not tie the scion and the stock together, for these coverings are only designed to keep the air and the wet from the wounded parts till they are united, which they will soon be, if the tongues of the stock and the scion are well wedged into one another. When we use this sort of grafting without cutting off the head of the stock, we then remove the bark from the stock in any smooth part of a shoot, i. e. between the buds; and fitting the scion to it as before with tongues, we then cover the wounded parts with some of the before-mentioned grafting wax. This last operation may be done when the sap is in its highest state of fluidity, but the first must be executed just before the buds begin to shoot.

Cleft grafting, or stock grafting, is performed by cutting off the head of the stock, and then with a knife slitting the stock downwards an inch or two, in proportion to the bigness of it, and of the scion we are to put into it; we must then cut the bottom part of the scion in the shape of a wedge, of the same length we have made the slit, and so place the scion in the opening we have made in the stock, that the bark of the stock and the scion may both join or match with one another.

If the stock happens to be very large, as sometimes it is when we use this kind of grafting, such as an old tree sawed off, which may, for instance, measure three feet in the girth; then we must open the places in which we are to fix our grafts with chisels, and keep them open with wedges until the grafts are securely fixed. In such stocks, three or four grafts may be inserted, but two are sufficient; and, in this case, the scions may be proportionally larger than when the stocks are small. In Worcestershire, it is very common to graft apples in this way with scions which measure about five inches in the girth, and they prosper well; but we may observe, as a general rule, that the scions may be larger if they are of trees that have tender wood, than if they are of hard wood. When this is done, lay on some of the grafting wax as before directed, so as to cover all the wounded parts of the stock and scion. Where the stock is large, there is vegetable matter enough in it to feed the scions to good advantage, so that in the third year they will produce extraordinarily large fruit, although, before the old head was removed, the fruit should have been scarcely bigger than hazel nuts.

We proceed to the plan of inarching. By this term we are to understand the inlaying of the young shoots of one tree into another, which is a much surer way than either of the two we have mentioned, for, if the part which acts as a scion does not happen to join with the stock, it may still remain upon the tree. To perform this operation, the horticulturist should have a collection of stocks in pots, in order that, when he has any

favourite tree that he desires to increase, he may bring the stock to it, and then cutting off its head, select such a shoot of the valuable tree as may with the most facility be brought down to the stock. He must then arrange both of these with tongues, as directed in whip-grafting, with this caution, that he must leave the part which is to act as a scion to join with the tree, so that it may be well fed with its juices. The best plan, in these cases, is to cut the tongue of the graft half way only through the shoot. This being done, we must tie the two joining parts very closely together, and then cover them with the mixture of loam and cow-dung, taking especial care to secure the inlayed branch from flying from the stock, which not unfrequently occurs, when it is not well secured by strings or sticks; for though this operation ought always to be done in the summer, when the plants have their sap in the greatest fluency, yet the mildest summers are not entirely free from occasional hurricanes. Some plants ought to remain thus artificially joined till the second year, before they are cut from the bearing, or the desired, plant, especially those whose inarched shoots are of a more hardy or woody nature; but where we can inarch green shoots, such as those of oranges or lemons, if we do it in May, we may cut them off in August, if we perceive that they have taken hold of the stocks.

When the plants are cut from the mother tree, we must put them immediately in some place of shelter, where the winds cannot affect them, or else the new heads, which are tenderly joined, will be subject to break from the stocks; or if the stock be growing in the natural ground, then, when we cut the young inarch from the tree, we must be careful to guard them well with stakes.

Inoculation is the next method. To inoculate, is the same as to eneye, or to bud; it is nearly the same as what the ancients called "emplastration." Their mode of emplastration was to cut out a large piece of the smooth bark of a tree with several buds upon it, and then opening the bark of another tree in such a manner, as to lay the bark of the bearing tree close to the wood of the stock; they then covered the wounded parts over with a kind of mortar, or prepared loam. This old method is safer and surer in the way of inoculation, than the modern one of inoculating with a single bud, because the great quantity of bark taken off with the buds, which may be about two inches square, must hold a good fund of nourishment, to support the buds till they have united with the stock. But, however, the present usual way of inoculating with a single bud, is not inferior to most of the modern modes of grafting, provided we take care to be guided by the vigour of the sap, that is to say, we must never attempt to bud or inoculate any tree, but when the bark will rise freely from the wood, as the gardeners say; or, in other terms, will slip off from the wood.

In this case, the buds must be such as can be taken from the last perfect shoot of a tree, and the bark, in which this bud happens, should be placed about half an inch below the bud, and as much above, and on each side of the bud about half an inch. We must, then, make an incision in the bark of the stock, in form of the letter T, and raising that bark on both sides from the wood, and then stripping the buds from the woody parts adjoined to it, insert it between the bark and the wood of the stock, and tie it with rush matting, so that the bud may not be hurt or covered; or else, some of the grafting wax being applied, as directed in the other modes of grafting, that will be sufficient without tying.

We have now only to describe the method of approaching, or grafting by approach, which some have erroneously confounded with inarching. The ancients, in most of their works, recommend it as the surest way, and the experience of the most scientific modern horticulturists confirms their opinion. It is performed in young shoots while the sap is fluent, or in shoots of the last growth, when the sap is beginning to flow vigorously; we must then place two plants together, and paring off the bark from one side of a branch of each of them, we are to apply the wounded parts to one another, and tie them together with rush matting; and, if they are tender shooting plants, they will soon unite in their woods, and may be cut off in three or four months. By this plan, the most opposite plants may be reconciled, or amalgamated; as the fig and the mulberry, the vine and the passion tree. As to the method used by the ancients, called "terebération," or boring of trees, it was no more than piercing through the bark, and then pressing the instrument downwards between the wood and the bark: they then made room enough to receive the foot of the scion two or three inches, by which means the scion was fed, and struck root in the tree; but the foot or bottom part of the scion must be pruned away a little, so as to make it terminate in a point, and when it is fixed, the orifice must be closed with grafting wax. This practice is discontinued among modern gardeners, but, in difficult cases, it may be resorted to with advantage.

THE TRIAL AND EXECUTION OF JOHN CALAS.

JOHN CALAS was a merchant of the city of Toulouse, where he had been settled, and lived in good repute, during forty years. He married an English woman of French extraction, her grandmother being of the family of Garde Montesquiou, and related to the chief nobility of Languedoc.

Calas and his wife were Protestants, and had five sons, whom they educated in the same religion; but Louis, one of the sons, became a Roman Catholic, shortly before the dreadful event we are about to relate, his father's maid servant, also a Catholic, who had lived thirty years in the family, having greatly contributed to his conversion. The father, however, was so far from expressing any resentment or ill will on the occasion, that he settled an annuity upon Louis, and still kept the female in his family.

In October, 1761, the family seems to have consisted of the father, John Calas, and his wife, one woman servant, Mark Antony Calas, the eldest son, and Peter Calas, the second son. Mark Antony had been educated a scholar, with a view to his becoming an advocate or counsellor at law; but he was not able to get himself admitted as a licentiate, because he must either have performed some acts to which, as a Protestant, he could not have assented, or have purchased certificates, which he either thought unlawful, or found too expensive. He could not follow the business of a merchant, because he was not qualified for it, either by his education or his turn of mind. He became discontented and melancholy, and endeavoured to dissipate the gloom of his mind by playing at billiards, and other expensive pleasures, of which his father often expressed his disapprobation with some warmth, and once threatened, that if he did not alter his conduct, he would turn him out of doors, or expressed himself in words to that effect. The young man's melancholy and discontent increased, and he seems to have entertained thoughts of putting an end to his life, as

he was continually selecting and reading passages from Plutarch, Seneca, Montaigne, and other authors on suicide. He could repeat by heart a French translation of the celebrated soliloquy in Hamlet; which he frequently recited, with some passages from a French drama, called Sidney, to the same effect.

On the 13th of October, 1761, M. Gober La Vaisse, a young gentleman about nineteen years of age, son of La Vaisse, a celebrated advocate at Toulouse, having been some time at Bordeaux, came back to Toulouse to see his father; but finding that he was gone to his country residence, at some distance from the city, he went to several places, endeavouring to hire a horse to carry him thither. No horse, however, was to be obtained, and about five o'clock in the evening he was met by John Calas, the father, and the eldest son, Mark Antony, who was his friend. Calas, the elder, invited him to supper, as he could not set out for his father's that night; and La Vaisse accepted the proffered hospitality. All three proceeded to Calas's house, and when they came thither, finding that Mrs. Calas was still in her own room, which she had not quitted during the day from indisposition, La Vaisse went up to see her. After the first compliments, he told her he was to sup with her, by her husband's invitation; she expressed her satisfaction, and a few minutes afterwards left him, to give some orders to her maid servant; when that was done, she went to look for her son Antony, whom she found sitting alone in the shop, very pensive; she gave him some money and desired him to go and buy some Roquefort cheese, he being always the market man for cheese, as he knew how to buy it better than any other member of the family.

She then returned to her guest, La Vaisse, who very soon afterwards went again to the livery stables, to see if any horse was come in, that he might secure it for the next morning.

In a short time Antony returned, having bought the cheese; and La Vaisse also coming back about the same time, the family and their guest sat down to supper in a room up one pair of stairs, the whole company consisting of Calas, the father, and his wife, Antony and Peter Calas, the sons, and La Vaisse the guest, no other person being in the house but the maid servant, who has been already mentioned.

It was now about seven o'clock; the supper was soon finished; but before it was over, or, according to the French expression, *when they came to the dessert*, Antony left the table, and went into the kitchen, which was on the same floor, as he was wont to do. The maid asked him, if he was cold? He answered, *Quite the contrary, I burn*: and then he left her. In the mean time, his friend and the family left the room they had supped in, and went into another apartment. The father and La Vaisse sat down on a sofa; the younger son, Peter, in an elbow chair; and the mother in another chair: and, without making any enquiry after Antony, they continued in conversation till between nine and ten o'clock, when La Vaisse took his leave, and Peter, who had fallen asleep, was roused to attend him with a light.

On the ground floor of Calas's house was a shop and a warehouse; the warehouse was divided from the shop by a pair of folding doors. When Peter Calas and La Vaisse came down stairs into the shop, they were extremely shocked to see Antony hanging in his shirt, from a bar which he had laid across the top of the folding doors, having half opened them for that purpose. Upon discovery of this horrid spectacle, they shrieked out, and the cry brought down Calas, the father, the mother

being seized with so violent a trepidation, as kept her trembling in the passage above. The unhappy old man rushed forwards, and taking the body in his arms, the bar, to which the rope that suspended him was attached, slipped off from the folding doors of the warehouse, and fell down. Having placed the body on the ground, he loosed and took off the cord, in an agony of grief and horror not to be described; weeping, trembling; and deploring his own bereft condition, and the melancholy fate of his son. The two young men, his second son and La Vaisse, who had not presence of mind enough to attempt taking down the body, were standing by, stupid with amazement and horror. In the mean time, the mother, hearing the confused cries and complaints of her husband, and finding that no one came to her, found means to get down stairs. At the bottom she found La Vaisse, and hastily and eagerly demanded what was the matter. This question roused him in a moment, and instead of answering her, he urged her to go again up stairs, to which, with much reluctance, she consented; but the conflict of her mind being such as could not be long borne, she sent down the maid to see what was the matter. When she discovered what had happened, she continued below, either because she feared to carry an account of it to her mistress, or because she busied herself in doing some good office to her master, who was still embracing the body of his son, and bathing it with tears. The mother being, therefore, thus left alone, went down and mixed in the scene already described. In the mean time, Peter had sent for La Moire, a surgeon in the neighbourhood; La Moire was not at home, but his assistant, M. Grosse, came instantly. Upon examination, he found the body quite dead; and, upon taking off the neckcloth, which was of black taffeta, he saw the mark of the cord, and immediately pronounced that the deceased had been strangled. This particular had not transpired out of the house; for the poor old man, when Peter was going for La Moire, cried out, "Save at least the honour of my family; do not go and spread a report that your brother has made away with himself."

By this time a crowd of people were gathering round the door, and one Casing, with another friend or two of the family, came in; some of those who were in the street had heard the cries and exclamations of the father, the mother, the brother, and his friend, before they knew what really was the matter; and having learned by some means that Antony Calas was suddenly dead, and that the surgeon, who had examined the body, declared that he had been strangled, they took it into their heads that he had been murdered; and as his family were Protestants, they unhesitatingly inferred that the young man had been about to change his religion, and on that account had been put to death. The cries they had heard, they supposed, were those of the deceased, while resisting the violence offered to him. The tumult in the street increased every moment; some said that Antony Calas was to have abjured the next day; others, that Protestants are bound by their religion to strangle or cut the throats of their children, when they are inclined to become Catholics; others, who had found out that La Vaisse was in the house when the tragedy occurred, very confidently affirmed, that the Protestants, at their last general assembly, appointed a person to be their common executioner on these occasions, and that La Vaisse was the man, who, in consequence of the office to which he had been nominated, had come to Calas's house to hang his son.

The poor father, who was overwhelmed with grief for the loss of his child, was advised by his friends to send for the officers of justice, to prevent his being torn to pieces for the supposed murder of his son.

This was accordingly done; one was dispatched to the *capitoul*, one David, the first police magistrate, or principal civil magistrate of the city; and another to an inferior officer, called an assessor. The *capitoul* was already set out, having been alarmed by the rumour of a murder, before the messenger sent from Calas got to his house; he entered the door with forty soldiers, took the father, Peter the son, the mother, La Vaisse, and the maid, all into custody, and set a guard over them; he sent for M. De La Tour, a physician, and Messieurs La Marque and Perronet, surgeons, who examined the body for marks of violence, but found none except that of the ligature round the neck; they found also the hair of the deceased done up in the usual manner, perfectly smooth, and without the least disorder; his clothes were also regularly folded up, and laid upon the counter; nor was his shirt either torn or unbuttoned.

Notwithstanding these appearances, David thought fit to adopt the opinion of the mob, and took it into his head that old Calas had sent for La Vaisse, telling him he had a son to be hanged; that La Vaisse had come to perform the office of executioner; and that the father and his brother had assisted him in it.

The body, by order of this ignorant bigot, was carried to the town house with the clothes; the father and the son were thrown into a dark dungeon; and the mother, the maid, La Vaisse and Casing, were imprisoned in one that admitted the light. The next day, what is called the *procès verbal* was taken at the town house, instead of the spot where the body was found, as the law directs, and was dated at the house of Calas, to conceal the irregularity. This *procès verbal* is somewhat like our coroner's inquest; witnesses are examined, and the magistrate makes his report, which is the same there as the verdict of the coroner's jury with us. The witnesses examined by this *capitoul* were the physician and the surgeon, who proved Antony Calas to have been strangled. The surgeon, having been ordered to examine the stomach of the deceased, deposed also, that the food which had been found there had been taken four hours before his decease. As no proof of the supposed fact could be obtained, the *capitoul* had recourse to what is called a "monitory," in which the crime was taken for granted, and all persons were required to give such testimony concerning it as they were able, particularizing the points on which they were to speak. This monitory recites that La Vaisse was commissioned by the Protestants to be their executioner in ordinary, when any of their children were to be hanged for changing their religion; it recites also that, when Protestants thus hang their children, they compel them to kneel; and one of the interrogatories was, whether any person had seen Antony Calas kneel before his father when he strangled him; it recites too, that Antony died a Roman Catholic, and then requires evidence of his catholicism. These ridiculous opinions being thus adopted and published by the principal magistrate of a considerable city, the church of Geneva thought itself obliged to send an attestation of abhorrence of opinions so detestable and absurd, and of its astonishment that they should be suspected of such opinions by persons whose rank and office required them to have more knowledge and better judgment.

But before this monitory was published, the mob had got a notion that Antony Calas was on the next day to have joined the fraternity of White Penitents. The *capitoul* immediately entertained this opinion also, without the least examination, and ordered Antony's body to be buried in the middle of St. Stephen's church, which was done; forty priests and all the White Penitents attending the funeral procession.

Four days afterwards, the White Penitents performed a solemn service for him in their chapel; the church was hung with white, and a tomb was raised in the middle of it, on the top of which was placed a human skeleton, holding in one hand a paper, on which was written "Abjuration of Heresy;" and in the other a palm, the emblem of martyrdom.

The next day, the Franciscans performed a service of the same kind for him; and it is easy to imagine how much the minds of the people were inflamed by this strange folly of their magistracy and priesthood.

The capitoul continued the prosecution with unrelenting severity; and though the grief and distraction of the family, when he first entered the house, were alone sufficient to have convinced any reasonable being that they were not the authors of the event which they deplored, yet, having publicly attested that they were guilty in his monitory without proof, and no proof coming forward, he thought fit to condemn the unhappy father, mother, brother, friend, and servant, to the torture, and put them all into irons on the 18th of November. Casing was enlarged, upon proof that he was not in Calas's house, till after Antony was dead.

From these dreadful proceedings the sufferers appealed to the parliament of the district, which immediately took cognizance of the affair, annulled the sentence of the capitoul as irregular, but continued the prosecution.

When the trial came on, the hangman, who had been taken to Calas's house, and shewn the folding doors and the bar, deposed, that it was impossible he could have hanged himself, as the defendants pretended; another witness swore that he looked through the key-hole of Calas's door into a dark room, where he saw men running hastily to and fro; a third swore, that his wife had told him, that a woman named Mandrill had told her, that a certain woman unknown had declared she heard the cries of Mark Antony Calas at the *further end* of the city. Upon such evidence as this, the majority of the parliament were of opinion, that the father and mother had ordered La Vaisse to hang their son, and that another son and a maid servant, who was a rigid Catholic, had assisted him to do it.

One La Borde presided at the trial, who had zealously espoused the popular prejudices; and though it was manifest even to demonstration that the prisoners were either *all* innocent or *all* guilty, he voted that the father should first suffer the torture ordinary and extraordinary, with a view to discover his accomplices, and be then broken alive upon the wheel; afterwards, to receive the last stroke when he had lain two hours on the rack, and then to be burnt to ashes. In this opinion he had the concurrence of six others; three were for the torture alone; two were of opinion that they should endeavour to ascertain upon the spot whether Antony could by any possibility have hanged himself or not; and one voted to acquit the prisoners. After long debates, the majority were for the torture and the wheel, and probably condemned the father by way of experiment, whether guilty or not, hoping he would, on account of his age, in the agony of suffering, confess the crime, and accuse the other prisoners, whose fate, therefore, they suspended. It is, however, certain, that if they had had evidence against the father that would have justified the sentence they pronounced against him, that very evidence would have justified the sentence against all the rest; and that if they could not justly condemn the rest, they could not justly condemn him, for they were all in the house together when Antony died,—all concurred in declaring that he hanged himself, which those who did not help to hang

him, supposing him to have been hanged by others, could have had no motive to do, nor could any one, or more, of the prisoners have hanged him by violence, without the knowledge of the others.

Poor Calas, however, an old man of sixty-eight, was condemned to this dreadful punishment alone; he suffered the torture with great constancy, and was led to execution in a frame of mind which excited the admiration of all who saw him.

Two Dominicans, father Bourges, and father Caldagues, who attended him in his last moments, wished "their latter end might be like his," and declared that they thought him not only innocent of the crime laid to his charge, but an exemplary instance of true Christian patience, fortitude, and charity.

One single shriek, and that not very violent, escaped him when he received the first stroke; after that, he uttered no complaint. Being at length placed on the wheel, to wait for the moment which was to end his life and his misery together, he expressed himself with an humble hope of a happy immortality, and compassionate regard for the judge who had condemned him. When he saw the executioner prepared to give him the last stroke, he made a fresh declaration of his innocence to father Bourges; but while the words were yet in his mouth, the capitoul, the author of this dreadful catastrophe, and who actually came upon the scaffold merely to gratify his desire of witnessing the punishment and death of his victim, ran up to him and bawled out with the most savage gesticulations, "Wretch, there are the faggots which are to reduce your body to ashes; speak the truth." Calas made no reply, but turned his head a little aside, and that moment the executioner did his office.

Though the testimony of a dying man had thus acquitted the rest of the prisoners, yet the judges, that they might act with an uniform absurdity throughout the whole affair, banished Peter Calas for life, and acquitted the rest. The widow and the other sufferers sought such redress from the king as could now be obtained, and her petition was laid before the parliament of Paris.

Exactly three years to a day after the condemnation and execution of John Calas, the parliament of Paris acquitted the widow, the son, the maid servant, and La Vaisse, of this horrid accusation. They declared the murdered father innocent; re-established the memory of his former good reputation, granting liberty to his family to prosecute the judges, called capitouls, who condemned him; cancelled the whole of the former process, with the sentence of the judges; and ordered the *arrêt* of his innocence to be printed, published, and fixed up at all the public courts and places required.

Louis the Fifteenth bestowed a gratification of 18,000 livres on the widow of Calas, 6,000 on each of her two daughters, and 3,000 to her son Peter, without depriving them of their action in damages against their judges. The interest Voltaire took in this persecuted family, and the exertions he made to secure them ample justice, are among the most honourable traits in his character.

ON THE PHILOSOPHY OF MIND.

Scientia vis est.—BACON.

γνῶθι σεαυτόν.—SOLON.

"One generation passeth away and another cometh, but the earth abideth forever." Are the changes in its generations the only changes in society? Does man appear upon the stage of time, and merely re-act the drama of his predecessors, or does generation after generation, standing on the graves of their forefathers, take a higher vantage ground, and consequently a more extensive range of vision? Not many ages have elapsed since we were inspired with the hope of emulating the ancients; later still has Milton doubted whether the age in which he lived was not too late, or the climate too cold, to write an epic poem; while another party has started up, regarding itself with as much complacency, and the past age with as much contempt, as if, like love in Aristophanes, it had been hatched from the egg of night. Of these three opinions, whether society be stationary, retrograde, or progressive, we adopt the last, and we found our belief on the fact that man, from the very constitution of his nature, is an improvable being. It may be asked, what circumstances enable him to take advantage of this law, and it may not be amiss to state them. The first is speech or language, by which we are enabled to express our thoughts to one another. This gift is peculiar to man alone. The lower animals indeed display a very high degree of sensation and memory, and, in many cases, of judgment; they are capable also of expressing their anger, joy, and other feelings, but they are totally destitute of any way whereby they may transfuse their common conceptions; hence their knowledge is stationary, and all the perfection of a class may be found in any individual of that class. Language again is not only peculiar but necessary to man. All nations have their vocabulary, which is capable of being extended in proportion as their wants extend. With this there is a second circumstance connected, viz. that man is essentially a social being. True it is that many of the lower animals are gregarious, but they want that moral principle which pervades and binds together the several sections of human society. Man is also a contriving being, and continually seeking out means subservient to his ends. In the rude ages of society, we find him polishing his spear with stone, but, as his experience increases, he points it with iron.

As an improvable creature, man may be considered first as an intellectual being, and secondly, as a moral and responsible being. It is our present design to consider him in each of these views. How shall we proceed in our investigations? We can bring matter under the scrutiny of the senses and oppose it to its kind, but mind is a substance with which we are so little acquainted, that we are obliged to distinguish it by a negative term, and call it immaterial. Matter affects our senses in an endless variety of ways, and, in order to obtain knowledge of it, we have merely to attend to the impressions received, and to draw our conclusions accordingly. The astronomer gains his knowledge by sight, and the musician is guided by the ear, but in the investigation of mind we have not the same faculties. There is indeed much difficulty attending the subject, and I do not hope to lessen it by saying that there is much imaginary difficulty, but we shall find that the studies of matter and mind are very closely connected by certain analogies.

In the first place, we are unacquainted with the essence of each. The ignorant savage can speak in some degree of their qualities and properties, and the profoundest philosopher can do nothing more. This statement may not appear obvious at first view. Mankind of old thought that they knew something of the *sub stans* of nature, and that by abstract speculations they could penetrate the veil that covers the essence of all things, and pronounce their judgments with some degree of certainty; but the farther researches of philosophy have proved this to be an idle reverie, and have perfectly demonstrated the humiliating truth, that in our present state of being we are utterly unable to know any thing regarding it.

Another ground of analogy is, that matter and mind are made known to us by their qualities and properties. The five senses give us all the knowledge we can at present possess of matter, and our internal feelings or consciousness make known the properties of mind. This is one of the grandest discoveries which philosophy has made; when she was young, and her researches very limited, she proclaimed that this was vulgar knowledge; but now that the extent of her observation is increased, she teaches us more and more plainly that we ought to reconcile ourselves to that degree of information which our present circumstances give us of our Creator's operations. This opinion is forcibly inculcated by Dr. Reid: "When I am asked," says he, "what is matter and what is mind? I answer, that I knew matter by its properties, that it is divisible, inactive, and resists effort. I knew mind also by its properties, such as willing, judging, &c.; this is all I know; of the real essence of matter and mind I know nothing."

Another ground of analogy is, that in both cases we have the means of knowing their qualities and properties. Our senses give us all the knowledge we possess of matter. We may not indeed know all its qualities and properties; on the contrary, it is certain that were the number of our senses increased, we could explain many or all of those operations of nature, which at present are inexplicable. So deeply struck was Dr. Dick with this thought, that he ventured to assert that no small portion of the happiness of a future world consists in a more extensive knowledge of the phenomena of nature, and in the possession of increasing means to acquire that knowledge. This is a pleasing conjecture, but nothing more. It is not improbable, however, that the brute creation possess a higher degree of sensation than man; still, it is our duty reverently to adore the dispensations of Awful Goodness which gives what is necessary for us, and withholds what would be injurious. We have certain means too of becoming acquainted with the operations of our minds. Our own consciousness, our own internal feelings, whisper to us, in a language which none can misunderstand, that we have an immaterial part within us distinct in its nature and operations from our bodies. We can distinguish hope from fear, joy from sorrow, and, in a word, all the modifications of the thoughts and passions. Our consciousness of the existence of mind can be as much depended upon as our senses in regard to matter; indeed, if there be any difference in the certainty to be placed on either, it is in favour of consciousness. We cannot doubt of the existence of any mental faculty when it is in exercise; we must be conscious of anger and joy, of hope and fear, when the mind is in any of these states. In both cases, therefore, we have ample means of observation, and in both cases their means are equally to be relied upon. Some indeed, as Hume and Berkeley, have pretended to doubt of the information derived from the

senses, because we cannot found it on demonstration ; this however is absurd, and if we are not able to prove the existence of a material universe, or the certainty of the information regarding it which we derive from the senses, we are as little able to disbelieve it.

Another analogy is, that in both cases experience is the grand source of our knowledge. It has been urged in favour of physical investigation, that experiment can be added to experience, and that a very important branch of science, viz. chemistry, depends altogether on experiment—granted ; but, do we gain no knowledge without experiment ? The science of astronomy depends altogether on experience ; besides, the test of experiment is not excluded from the facts of mind. If we offer a reward to the ambitious, or a gift to the miser, we may witness the different effects of experiment, and the business of our teachers and preachers consists in making a series of experiments on the minds of different individuals. We think ourselves warranted in concluding, that the investigations of mind can be carried on as successfully by means of experience and experiment, as those of matter.

Another ground of analogy is, that in all our inquiries concerning mind and matter, we proceed on the supposition that the laws which regulate each are fixed and invariable. When we see preceding circumstances to be the same, we are sure that the resulting phenomena will correspond. A notion of the fixed laws of nature is implanted in our constitution, and our belief in them depends on experience. We know that every cause must be followed by its effect, and that every effect must have been preceded by its cause. Without this belief, we need not investigate causes and effects, and we might be justified in placing confidence on chance. The physical philosopher, however, is sure that there is no such thing as chance, that this is only the name for an unknown cause of which the effect is visible. He is sure that what happens in one case will happen in another, if repeated. If in the course of his investigations he does not find the proper result, he never sits down in melancholy, and complains that the laws of nature are changed ; he rather supposes that the fault may be found in himself. The operations of nature proceed in an invariable order, and to discover and apply this order is the object of the natural philosopher. The same fixed course is observable in the mental universe. As sure as the chemist knows that metal will melt if exposed to a proper heat, and that water will freeze if exposed to a low temperature, so sure does the moral philosopher know that certain feelings will awaken joy and others sorrow. The moral, as the natural philosopher, may, in the course of his investigations, be liable to mistake, and may draw wrong conclusions, yet he is quite persuaded that his mistakes depend on the weakness of his own strength. A knowledge of this fixed order of events inspires a fear for that Providence which overlooks all things, and has ordained that feelings of remorse and horror will as necessarily follow the commission of crime, as pain follows the exposure of the finger to the flame of a candle ; yet with this fear is awakened a confidence in all Divine dispensations, which renders the individual superior to the ills of life, and makes him feel a security, and peace, large as his utmost wishes, and lasting as the pillars that support the Eternal Throne.

Another ground of analogy between matter and mind is, that the subjects of both are generally of a compound nature. On this, however, we do not dwell at present.

A. KESSEN.

Mr. EDITOR.

SIR,—Prevailed upon by the solicitations of friends, and the undeservedly favourable notices which “The Translations from the German Dramatists” have elicited from various Journalists and Reviewers, I now venture on the version of an entire play of “the German Shakespeare;” and though I am as fully convinced, as the reader will be, of my total incapacity to do justice to the brilliant genius of the immortal Schiller, yet I imagine that such of your readers as may have heard of, without being conversant with, the glorious original, would rather snatch even a distant and imperfect glimpse of its matchless splendour, than that the whole blaze of its effulgence should be withheld from their view. Yours, &c.

J. D. PIERCEY.

WILLIAM TELL.—A PLAY IN FIVE ACTS.

From the German of SCHILLER.

ACT I.—SCENE I.

A high rocky shore on the borders of the Veerwaldstetter-lake, opposite the Canton Schwyz.

The lake forms a beautiful bay in the land; a cottage near the shore; a fisher boy sailing about the lake in his boat. On the opposite side of the lake, in the distance, are beheld the green meadows, the villages and hamlets of Schwytz lying in the clear sunshine. On the left of the spectator, appear the towering points of the Haken engirt with clouds; on the right, in the remote perspective, the glaciers are visible. Before the curtain rises, the *ranz des vaches* and the harmonious tinklings of the sheep-bells are heard; these continue some time after the commencement of the scene.

THE FISHER-BOY.

(Sings in the boat.)

AIR.—RANZ DES VACHES.

THE lake to the bath is tempting and smiling,
The boy on its green banks to slumber beguiling,
And he hears strains of music
Like flutes sweetly rise,
Like the voices of angels
In Paradise.

Then gently awaking in blissful delight,
His bosom is laved by the waters bright,
And a voice from the deep calls
Dear boy, thou art mine!
I lure down the sleeper
With music divine.

SHEPHERD.

(On the mountain.)

VARIATION OF THE RANZ DES VACHES.

Ye meadows, farewell,
Ye sweet sunny pastures!
The herdsman must leave you,
The summer is gone!
To the mountains we speed, and return again
At the cuckoo's call, at the birds' sweet strain;
When the earth, clad in flowers, again looks gay,
When the rivulets purl in the lovely May.
Ye meadows, farewell,
Ye sweet sunny pastures!
The herdsman must leave you,
The summer is gone.

ALPINE-HUNTER.

(*Appearing on the opposite summit of the rocks.*)

SECOND VARIATION OF THE RANZ DES VACHES.

The heights peal, the bridge trembles under his tread,
The dizzy path strikes not the huntsman with dread;
He passes undaunted
O'er the ice-covered scene,
Where spring brings no flowers,
No vestige of green.

A sea of dense vapour beneath his feet lies,
The cities of men he no longer descries;
The world he can only
Between broken clouds trace,
Deep under the waters
The earth's vernal face.

THE ROMAN DE ROU.—No. 6.

(Continued from page 91.)

DUKE RICHARD, having triumphed over his numerous enemies, and won the admiration of his subjects by his skill as a general, and his personal courage as a warrior, availed himself of the interval of repose to reward the fidelity of his adherents, and display his prudence as a legislator and a statesman. He gave lands to his barons; Spanish horses to the men at arms; and clothes to the families of the common soldiery. Throughout the whole of Normandy he established just and salutary laws, and confided their administration to persons of intelligence and high reputation. By his civil virtues he as effectually gained the affections of the people, as he had won their admiration by his courage and conduct in the field of battle.

But the jealousy of surrounding princes soon compelled him again to buckle on his armour, and protect the integrity of his dominions by force of arms. The hatred of Lothaire, king of France, was unappeasable; Theobald, earl of Blois, thirsted for revenge; Geoffrey, earl of Anjou; the count of Maine; and the earl of Belesme, all united their armies against the duke of Normandy, wasting his lands, and depopulating his cities. His grief, on hearing of these ravages, was excessive, and fearing that he was too weak to resist this formidable combination of his enemies, single-handed, he dispatched messengers to Denmark, and solicited the armed assistance of Harold. Such is the statement of Wace, but the truth of this interference, on the part of Danes, rests entirely on the authority of the Norman historians. In the voluminous collection of the French chroniclers, no evidence appears to corroborate this alliance with Harold. Whatever is clearly authentic in relation to these events, seems properly to belong to the year 863.

Pursuing, however, the narrative of our author, we find that the Danish fleet arrived safely in the Seine, and the troops established themselves at Gefosse, which they made their head quarters. Gefosse, Givoldi fossa, Givaldi fossa, or Ginoldi fossa, for all these three readings occur, was situate on the bank of the Seine, between Vernon and Bonnières. Almost all the modern historians and commentators confound this Gefosse, which was often occupied by the Normans as a military position in the ninth century, with another locality of the same

name, near to Isigny. The new allies did not remain long inactive, but joining themselves with the troops of Richard, overran the enemies' country, carrying fire and sword into every district. Wace thus describes their desolating course in the following spirited lines :

De Thiebaut damagier entr'els se cunsceillèrent,
 Iglise ne autel ne mezon n'espernèrent ;
 Co k'il porent ataindre arstrent à trebuchierent. (1)
 Daneiz furent felonz et à mal fere isnel ; (2)
 Ne leissent en Chartrain et en Duneiz bordel ; (3)
 Ne mezon en estant ki seit fors du chastel
 Ne leissent boef ne vague, genice ni torel,
 Porc ni herbiz ni chièvre ne oue (5) ne agniel,
 Coc, capon ne geline, ne vlez chien ne chael ; (6)
 Ne forment en guernier, ne bon vin en tonel.

Vers. 4920.

After having thus wreaked their vengeance on Theobald, they next invaded the territories of Lothaire, where their ravages were equally extensive and exterminating. The consternation became universal, and the cries of the people were responded to by the clergy and the barons. Remonstrances were presented to the king, bitterly reproaching him for drawing down such misery on the nation to indulge his personal hatred against the duke of Normandy. According to William of Jumièges, whom Wace has followed, the bishops of France were assembled at Laon, and not at Melum. But as "Meleuren" so closely resemble "Montleum," the name by which Wace frequently designates Laon, the probability is, that this variation is a clerical error of the transcribers.

The king of France, unable to turn a deaf ear to the complaints of his subjects, which were energetically supported by the chief men in the realm, selected Vulfaldus, bishop of Chartres, who filled that episcopal see from 962 to 967, as an ambassador to Richard, and he immediately repaired to Rouen. At the interview between them, the bishop reproached the duke for introducing a horde of pagans into the country, who had destroyed so many of the Christian churches, and he expressed his astonishment that a prince, so renowned for the excellence of his character and the goodness of his heart, could permit them to slay men, women, and children, in cold blood. By my faith, replied Richard, I have acted with propriety, and if the land be ravaged, it is no reproach to me. I am resolved to destroy Theobald, and humble the pride of the king. They have causelessly attacked me, and, with the blessing of God, I will have my revenge. My friend, continued the duke, I will not impose a lie upon you ; I would rather see all the churches razed down to the ground, than die dishonoured, and more freely would I abandon Normandy to the pagans, than be expelled from its possession by the king of France. Lothaire has acted towards me with unparalleled baseness ; he endeavoured to entrap me through the agency of Archbishop Bruno ; he next attempted to decoy me into his power by stratagem on the Seine ; he tried hard to circumvent me between the river Eaulne and Dieppe ; and it is he who has incited Theobald to carry war into my kingdom. Had I fallen into his power, I know he would have murdered me. No truce or peace will I grant, before my city of Evreux is restored. The bishop, nothing disconcerted,

(1) Brûlèrent et renversèrent. (2) Habiles. (3) Cabanc.

(4) Ni maison debout qui soit hors du château.

(5) Oie. (6) Ni jeune chien.

used all his spiritual eloquence to shake the resolution of Richard, and appease his anger; he implored him not to incur the vengeance of Heaven, by maintaining his league with the pagans, and to disengage himself from all further connection with the enemies of our holy faith. He beseeched him to grant an armistice, and pledged himself that the king would give him a pacific and honourable interview at Guinefosse. Richard is at last subdued, and agrees to the proposed meeting. This, accordingly, took place, and the quarrel between Richard and Lothaire was adjusted. As soon as Theobald heard of this reconciliation, he hastened to obtain terms for himself, which the duke of Normandy generously granted. The definitive treaty of peace between France and Normandy was ratified at Gefosse. Wace, who does not agree with the other historians in fixing the locality of Guinefosse or Gefosse, also differs with them as to the place in which the peace between Richard and Lothaire was concluded. He says that it was at Gefosse, while almost all the other Norman chroniclers agree in fixing it at St. Clair-sur-Epte, on the frontiers of France and Normandy, a situation much more convenient than Gefosse. Wace says that Richard removed the Danes from Gefosse during the negotiations, whereas, on the contrary, they retired while the treaty was arranging at St. Clair-sur-Epte. This was done and accorded, says the "*Chronique de Normandie*," after which the king returned to France, and Duke Richard to Gefosse, where was the fort of the Danes, to pay them what he had promised. But wherever was the real place of meeting, it is certain that Gefosse was on the Seine. Wace and William of Jumièges both agree on that point, and their united authority must be preferred to the statements of the "*Chronique de Normandie*," Dumoulin, Masseville, and other writers.

Richard had some trouble to satisfy his Danish allies; their restless character fitted them alone for war, and they saw all prospect of future plunder vanish from their grasp by these pacific arrangements. Richard offered lands and citizenship to those who would remain in Normandy, receive baptism, and embrace the Christian doctrine. Some consented, but the great majority sailed for the coast of Spain, where they disembarked, and, according to Wace, pillaged eighteen cities.

After twenty-five years of war, Normandy now enjoyed repose, and began to feel the benefit of the wise system of policy which Richard adopted in the internal administration of his government. He was sincerely beloved by his subjects, who acknowledged with gratitude the equity and mildness of his sceptre. Shortly after the peace, his wife, Emma, the daughter of Hugh the Great of Paris, died, without leaving any children, when the duke divided all her personal effects between the monasteries and the poor. Richard had had six children by his mistress, Gonnor, whom Wace, as well as all the other Norman chroniclers, represent as a lady of high birth and breeding, but, in reality, she was the daughter of one of his foresters. Speaking of her, the "*Chronique de Normandie*" says, the lady Gonnor made great presents to the churches, particularly to Notre Dame de Rouen, to which she presented the most beautiful embroidery, worked by herself and her maidens. She also caused precious cloths to be worked with silks, containing the history and the pictures of the Virgin Mary, and the saints, to ornament the church of Notre Dame de Rouen. The six

children of this union were Richard, who succeeded to the dukedom ; Robert, archbishop of Rouen ; Manger, earl of Corbeil, and father of William, earl of Mortain ; Emma, who was married to Ethelred, king of England ; Hadwige, who espoused Geoffrey, duke of Brittany ; and Matilda, who was united to Odo, earl of Chartres.

Wace now gives us some superstitious anecdotes, to display the courage and sagacity of Richard, but as they show the spirit of the times, they deserve a brief notice. He tells us that such was the personal bravery of the duke, that he walked about with equal fearlessness in the dark, as in the light. Whenever he passed a church, no matter what the hour was, he stopped to say his prayers. On one of his nocturnal perambulations, he had the following adventure with the devil. He entered a church, where a dead body had been deposited in a coffin, and prostrated himself before the altar, having first taken off his gloves, and placed them on the reading desk. During his devotions, he plainly saw the body and the coffin move, on which he boldly desired the devil, for he was there, to desist from any attempt at carrying off the dead man. Having finished his prayer, he then retired, but recollecting that he had left his gloves behind, he drew his sword, and retraced his steps, fully resolved to attack the evil one, if he crossed his path. After this, the duke passed a law, commanding every person to appoint a guardian to the dead, who was to remain with the corpse till buried, to prevent the possibility of its being stolen by the powers of darkness.

The next story of this description is told of the sexton of the abbey church of Saint Ouen. This was a holy man, who had led a pious life, and achieved a saintly reputation. Him the devil resolved to corrupt, and for this purpose threw in his way a beautiful woman, of whom the too susceptible sexton became instantly and vehemently enamoured. He requested a private interview, which she granted. At night, when all the brethren were asleep on their virtuous pillows, the ecclesiastical Lothario gently opened the door of the abbey, and sallied forth with ardour to keep his appointment. Before he could reach the place of rendezvous, he had to cross the little river Robec, one of the tributary streams of the Seine, and, by some mischance, slipping from the plank which served as a rustic bridge, he was drowned. The devil, being on the look-out for his victim, instantly seized his soul, and was rapidly conveying it to the infernal regions, when he was encountered by an angel, who disputed his right of possession. "You are wrong," said the devil, "in questioning my pretensions : the sexton meditated a sin ; I caught him on the road, and the intention is as culpable as the deed itself. His soul is good and lawful prize." "Hold your tongue," said the angel, "and leave him alone ; you have no right to prejudge the sexton, or to infer that he would have completed the crime he meditated. How can you aver that he would not have repented on the road, and returned without seeing the lady?" In this difficulty, the devil and the angel agreed to refer the point to the arbitration of the duke, to whom they at once proceeded and explained the facts of the case. Richard decided that the drowned sexton should be resuscitated, and his soul placed again in his body, and be brought to the plank over the river. If he attempted to cross again, and visit the lady, then the duke declared him good and lawful prize to the imps of darkness ; but, not otherwise. As soon as this was arranged, the sexton, whose amorous desires appear

to have been cooled by his ducking, returned to his abbey, and went quietly to bed. On the next morning, the duke went to see him, and made him publicly confess his sin. This anecdote soon spread far and wide, and, as Wace says, became the subject of a popular phrase.

Lunges fu puis par Normendie

Retraite ceste gaberie : (1)

Sire Muine, suet alez, (2)

Al passer planche vus gardez.

Vers. 5668.

We have another adventure of the duke to show his stern and inflexible justice. He was hunting at Courcelles, near Gisors, when some of his attendants announced to him that they had just found the body of a beautiful young woman, with the head severed from the shoulders. On arriving at the spot, he saw a knight standing near the corpse, holding a sword, reeking with blood. When he recognized the duke, he attempted to escape, but Richard pursued, and slew him, and buried both of the parties in one grave, where the murder was perpetrated.

Another marvellous story is related of one of the duke's huntsmen, who met a lady fair in the woods, and executed her wishes with all becoming gallantry ; but when he was about to take his departure, this extraordinary female seized him in her arms, and fastened him on the branch of a tree, from which he was some days afterwards released by his companions.

Richard now determined to marry his mistress Gonnor, and for this purpose convened the prelates and barons, who readily gave their consent. Wace gives a curious anecdote of the mode in which she asserted her new rights. It appears that she changed the usual side of the bed in which they slept in former times, with which Richard was displeased ; but Gonnor answered, " I used to sleep in *your* bed, and do what *you* pleased ; but now, this bed is mine, and I shall sleep on which side I like ; I am your lady, your duchess ; I am in *my own* bed, and I shall henceforth consult my own inclinations."

At this time died Lothaire, king of France, without heirs, according to Wace. This is not correct, for Louis the Slothful, the son of Lothaire, did not die till 987, after having reigned seven years conjointly with his father, and fifteen months alone. Hugh Capet, the brother-in-law of Richard, was then raised to the French throne, as Wace, and all the Norman chroniclers affirm, chiefly through the instrumentality of the duke of Normandy, but in fact he contributed nothing to his elevation.

The Flemings opposed him, but they were subdued, and Richard certainly did interfere, and obtain their pardon, after the siege of Arras by Hugh Capet.

Richard was remarkable for his bounty to the clergy, and the zeal he displayed to propagate the Christian religion. He built the cathedral of Rouen,—the church of the benedictines at St. Ouen,—that of the Holy Trinity of Fécamp near to his palace,—and the abbey of St. Wandrille. He also built his own tomb at Fécamp, not inside the church, but at the gate, under a gutter, in order, as he said, *that the rain which fell might wash his body clean of his numerous sins*. While it was constructing, he heard a divine voice saying :

Quam facis ex multis, hæc erit una tibi.

This royal sarcophagus being finished, Richard ordered that, during

(1) Cette plaisanterie.

(2) Allez doucement.

the remainder of his life, it should be filled every Friday with corn, and distributed to the poor with five sous of the currency of Rouen. Here we may remark, as a curious fact, that the dukes of Normandy, so powerful in a military point of view, scarcely coined any money. At the same period, however, the coined money of Mans, of Anjou, and Poitou, was very common. The Norman chroniclers frequently speak of the money of Mans, but very rarely of that of their own country. In an early number of the Magazine, we intend to publish a dissertation on this subject.

Richard fell sick at Bayeux, in the environs of which city the dukes of Normandy had a country palace. The Abbé Delarue fixes the locality at Balleroy, and M. Pluquet at Nôron, where the ruins may still be seen. The duke desired to be removed to Fécamp, with his children, and his half brother, Raoul, count of Ivry, the son of Sprote and Asperleng, the superintendent of the mills of Vaudrenil. He then delivered up the ducal authority to his eldest son, and in the presence of the prelates and barons, received the sacrament, and died universally regretted by his subjects.

Firm in adversity,—intrepid in war,—mild and merciful in prosperity,—more pleased to pardon than to punish,—this illustrious prince, during a chequered and eventful reign of fifty-five years, never once belied his character. Every day of his life was marked by the faithful discharge of those duties which best ennoble monarchs. He has been surnamed *Sans Peur*; to that may be added, *Sans Reproche*; for his memory deserves undivided homage and respect.

(To be continued.)

L'AVALE DE St. PIERRE.

A TALK.

*Nescio quæ natale solum dulcedine mentum
Tangit —*

PART I.

They who have seen that lovely vale,
That, smiling, to the western sea,
As 't were to court its balmy gale,
Slopes gently down so beautifully;

Where, from the morn's first rosy beam
To evening's last empurpled ray,
The enchanted sun should lingering seem
To dream his daily course away;

Enamoured of its charms will say,
That no dell in this island fair,
Though hers are many vales and gay,
Surpasses l'Aval de St. Pierre,—

And swear that in no lovelier spot,
Arcadian swains could ever rove,
When youth its transient cares forgot,
And Friendship twined the bonds of Love.

In rich luxuriance to the main,
With many a winding it descends,
From where St. Peter's hallowed fane,
On high its spireless tower sends:

And where, as if their vale to keep,
And at its very entrance laid,
Lie sunk in Death's oblivious sleep
The generations of its dead;

As erst the dust of Greece and Rome,
Did, sacred guard, afar repose,
And on their roads the marble tomb
And sculptured stone for miles arose.

Far from the busier town retired,
'T was seldom then the stranger's tread,
By taste allured, or folly fired,
Was on its answering echoes sped.

In such a sweet, secluded site,
Congenial bliss should reign alone;
Each day should teem with new delight
And pain and grief be never known.

But, oh! as 't were in mockery,
Of nature's beauties strewn around,
There burning fierce, remorseless, free,
Their mildest rage and riot's found.

As with the blushing rose, the thorn,
And dire disease 'neath brightest sun,
The rankest tares 'mid richest corn,
Serpents in groves of cinnamon.

'T was 'mid such scenes from earliest years,
Young Robert and his Mary grew;—
Oh! many a maiden as she hears
Their tale, will weep o'er love so true.

Of childhood's sweetest joys bereft,—
A father's smile,—a mother's care,—
An orphan-child was Mary left,
Life's weary load alone to bear.

To Robert's neighbouring sire resigned,
The latest trust that he could show,
Her dying parent had consigned
His daughter and his all below.

But soon she felt what thorns await
The orphan's path in ambush drear,
Where cold neglect, and often hate,
Are all the fruits those brambles bear.

A moment felt—and then forgot,
For love had fired young Robert's breast,
A child—he soothed her lonely lot,
And hushed each sad complaint to rest.

They grew like young shoots of the vine,
Which clothed their dwelling's sunny side,
But firmer than their tendrils twine,
Were clasped the links their hearts that tied.

Right gladly would I dwell and sing
The pleasures of their youthful years,
Blike as the progeny of spring,
When first the blushing dawn appears.

How, day by day, through field and fold,
They chased the giddy butterfly,
Where now, where now, his wings of gold!
Alas! they bear him but to die.

'Tis ever thus that grandeur's glow,
Conceals its own most deadly bane,—
Wealth but confers a keener woe,
And power points the shaft of pain.

Or how their playful hands would crop
The varied treasures of the field,
Nor from the fond employment stop,
Till all the scented booty yield.

With purple heath, the hyacinth,
Cowslips that pearly dew drops lave,
The iris blends each azure tint,
With cornflugs from the crystal wave.

Till all those offspring of the light,
That strike and charm the dazzled eye
And soothe the fascinated sight,
One fragrant pile before them lie.

Who from the sweets thus richly spread,
Would rustic crowns and chaplets weave,
To engarland round the sylvan bed
Upon some joyous festal eve.

The myrtle's boughs the green supplied,
The captive beauties to enthral,
And o'er them shone the garden's pride,
The rose—the peerless queen of all.

How when these sports delight no more,
Swift they forsake the flowery lea,
Descend to the resounding shore,
And search for shells along the sea.

Or frisk and gambol on their way
As on the shelving bank they stroll,
Where Rocquaine spreads her winged bay
To ocean's huge and heavy roll.

Whilst as if nought should wanting be
The measure of their bliss to crown,
And make them hail with equal glee,
The various year's revolving round.

An aged grandame, who long had graced
The chimney side with her locks of snow;
On them her last regards had placed,
When life's frail stream can scarcely flow:

All, all the summer she called in vain,
They roved, where aerial minstrels sung,
But when, with mist, and storm, and rain,
Stern winter swept the fields along,

And o'er the hearth with cheering flame
The (fossil) *gorge* threw its blaze,
Then crowding round that ancient dame,
They begged her tales of other days.

For many a legend wild she knew,
At which their cheeks would blanch with fear,
And many a dark tradition's clue
Where hermit, monk, and priest, appear.

Full often too her story rolled,
On Rollo's dimlike warrior-day,
On England's haughty conqueror bold,
And Roberts famed in battle fray.

And she that dreadful day could tell,
When 'neath the fierce Castilian's might,
The island's best and bravest fell,
And sunk the Norman flag in fight.

And thrown aside was many a glance,
As on her lips the accents passed,
How witches wheeled the midnight dance,
And spectres rode the tempest blast.

Oh! had just Heaven vouchsafed to smile,
And fondly deigned their hopes to bless,
Here might my tale have staid awhile,
And they had tasted happiness.

THE HERMIT'S PAPERS.—No. 3.

OUR EXILES.—MAUGER, PRIMATE OF NORMANDY.

Asperninas insulas—Sciathum et Seriphum, Gyrum et Cosuram, pete.
SENECA: Consolat. ad Helvian.
In hanc olim damnati relegabantur.—De Cæsareâ; NICOLAUS MERCATOR.

PROUD of its admission among the operative neuters of Sarnia's little common-wealth of literary bees, an eremitical insect cheerfully promises the radical reform of its well-known propensity to hoard up the honey and the wax for its own exclusive advantage. It has hovered, like a truant wild bee, from blossom to blossom, in Time's fragrant wilderness of sweets; and, having listened to many a song, as it revelled on Clio's nectar and ambrosia, sheltering its tiny form in the

deep recesses of some of History's giant hare-bells and great water-lilies, it may, peradventure, have learnt to sing too. Anxious, therefore, to retain a station calculated to improve its humble fraction of talent, it again unfurls its adventurous pinions for another flight, over the Channel, towards its native rocks. It needs and claims no higher stimulus for such small industry than the same hospitable reception from king, lords and commons, in that apiary newly-formed republic, which Aristotle and Mandeville would have, no doubt, encouraged, in their zeal for good government, as it is established for the express purpose of diffusing useful and entertaining knowledge.

Our insular exiles or state-prisoners, those distinguished representatives of every age, and almost every class, of influential existence, during eleven centuries, only sleep in Memory's dormitories; ready to wake, at the slightest touch of Fancy's wand, that they may re-animate once more scenes of enjoyment or suffering, resignation or despair, in which *they* bore their part while confined by the strong arm of power to the favoured spot where *we* are now sustaining ours.

Among these returning captives of the land of shades, are found kings and queens; earls, primates, bishops, missionaries; statesmen, lawyers and physicians; rejected Messiahs, Camisard chieftains, presbyterian refugees, and republican generals. As they were all specimens of real life, conducted by misfortune to these early penal stations, at different periods and from various countries—Wales, Neustria, Normandy, France, England—they should be classed among the curiosities of general, rather than local, literature, as it is obvious that their temporary residence here was casual and involuntary.

Our list of invaders, and permanent, or occasional, visitors, is likewise an interesting one. The most remarkable intruders, on a soil which popes seem to have hallowed in vain, were, perhaps, Eustace the Monk, Bertrand du Guesclin, Pero Nino, and Owen of Wales—a Picard, a Breton, a Spaniard, and a lineal descendant from the Caswallos and the Llewellyns. While mentioning the unfortunate Owen, it may be right to notice an incident omitted in the text of all our English and insular histories. John Lamb, a countryman of this brave warrior, was sent by a king of that chivalrous race, the Plantagenets, with orders to stab this honoured guest of a foreign prince. Lamb coolly plunged a dagger in his friend's bosom to the hilt; and the wretch's attestation of payment, for a deed which stained for ever the ruler of a generous nation, is still preserved.* As I have indulged in this short digression, with a retrospective eye to the ballad inserted in a late number,† the following paragraph from Fabyan is added here to complete Sir Owen's biography: "In the moneth of Septembre, [1368] King Charlys mannid and vittailid certeyne gallyes and other shippes, and sent them into "Walys, & so to have entryd into Englonde; but they retourned with lytle worshyp, notwithstandinge that he had ii noblemen of Walys named Owan & "James Wynne, whiche made to hym fast promesses of great thynges, by reason "that they were enemyes unto the kynge of Englonde."—(*Fabyan in Carol. v.*)

Let us now revert to our state-penitents, at a time when Tacitus's "*plenum exilium mare*"‡ was scarcely an hyperbole. The low Norman isles probably answered the same purpose as the Scilly cluster, as early as the fourth century; when we find one of the Priscillian bishops, of Gaul, a convert to the most insinuating species of mystical Gnosticism, confined by church and state at St. Mary's.§ Shortly after, the same destiny, coupled with hard labour, awaited the followers of Morgan or Pelagius;|| and it is rather singular that our otherwise excellent reformers should have inflicted this very degrading mediæval punishment—excommunication, transportation and slavery—on the mistaken good men whom they chose to call "free-willers."¶ The gaols of our Merovingian kings were usually entrusted to the religious communities; so that abbots and priors were also common gaolers.

Mauger, selected here as a fair sample of this goodly company of illustrious convicts, was the natural fruit of Richard the Second's (otherwise the good) clandestine amours with a noble Danish lady, "*quam sibi mors Danico copulavit*;" according to the invariable fashion and invariable phraseology of the "*Long Noes*," or *Neflota*,** and their faithful clerical biographers. The respectable author of *Cassarea*, who

* Mr. Johnes inserted the document in his appendix to Froissard.

† It is now full thirteen years since I lost sight of the ballad: considering it as unfinished, no copy was secured, and not a stave thereof has memory thought proper to retain.

‡ Tacit's Hist. i. 2.

§ Sulpitius Severus.

|| Constantini presbyt. contemp. Vita S. Germani.—Act. Concil.

¶ Soames's Reformation.

** The song of Ragn-Hilda, Rollo's mother, a specimen of the good old dame's fearlessness and poetic talent, supplies me with this physiognomical hint.

seems to have forgotten that "the proper study of mankind is man," has altogether overlooked a curious feature in all the protectors of the Northmen—I mean their utter insensibility to the influence of *French* female charms. The first three had, for excellent reasons of state, French kings' and princes' daughters for their titular wives; but history gives no proof of any conjugal intercourse between the two races. Sterility was alike the result and token of this singular aversion; so that we find Rollo entrusting to "Poppa, a most noble maid," whom he wooed "*à la façon des Danois*," the transmission of his lands and honours. William Longsword, with a filial deference most religious, trod in his father's steps, and forsook his high-born French sinecure spouse, to enjoy the delights of serious courtship with Sprotta, Richard the First's mamma; and the said Richard was indebted to Gunnor, "the countess," as she is styled by courtesy, though nothing more than the diligent proxy of a dormant wife, for all his justly renowned posterity.* In those good old times, the sinister bar was no bar to the throne, at least according to the Norman political belief: yet we must not imagine that the church was as compliant as the state, nor should we forget that, though no fault was found with Richard the Second's title to the earldom of Normandy, his full brother Robert, earl of Evreux, a candidate for the mitre which Mauger afterwards wore, was purified by passing before the altar, under his mother's cloak or "*pallium*," when Richard the father, "*Gunnorem Comitissam more christiano sibi copulavit*," made her an honest woman, and exalted the "bastards" into "palliards."

As if, by slow degrees, these Norman dukes who, "to obviate all suspicion of weakness," (so says the charitable Falle,) "were no less valiant and wise than good," had determined to overcome their abhorrence of the French tawny graces, Richard the Second divided his favours pretty equally between the *wife* of his bosom and the *mistress* of his heart—another "noble" daughter of the north, who (take an hermit's word for it) was neither "cold" nor "unripened"—enchanteing Danish Pavia, the mother of our hero, Mauger the primate. Richard the Third, and his successor Robert, lived and died, however, in single blessedness: if it is true that the latter, mistaken by some for Robert the Devil, yielded, at last, to the blandishments of a furrier's lovely daughter at Falaise; but the conqueror of England's mother was, like the rest, every inch a Dane. William displayed the same unaccountable reluctance to French conjugal alliances, as his forefathers; and there is small reason to doubt the sad story, in certain old chronicles, about the conqueror's amours, at a late period of his life, with "the daughter of a" Norman "priest," which unfortunate maiden the Flemish queen of England caused to be "*plaine by a certeyne privy sergeaunt of hur's*," which thing "the kyng aspying, he dishereted the man, and bette hys wyf with a brydell."†

I may have dwelt too long on these domestic secrets of our long-nosed unuxorious formidable ancient rulers. But it was proper to show that Mauger the Primate, when he contracted a close intimacy, "*more Danico*," with a Norman young lady of the name of "Guille,"‡ in the island of Ghernerueia, did not do so without many a family precedent. His uncle Robert, another primate, in his civil character of earl of Evreux, had taken to his arms "another Helen," who, if report speak sooth, "might have fired another Troy;" and yet, honest Benoit Pictet, who *imagines* that she was the archbishop's "wife," forgets to inform us that the holy father did *open penance* for the canonical crime which Genevese casuistry treats with such amusing lenity and forbearance.§ Archbishop Mauger seems to have been the soul of that succession of family conspiracies in which the numerous and powerful descendants of the two sons of Earl Ragnvald (Rollo's father) involved themselves. William Calculus, the monk of Jumièges, whose testimony is, of course, that of a loyal courtier, alludes to the primate's Guernsey trip in the following rather brief manner: "About this time (A.D. 1055) Mauger, archbishop of Rouen, began to play the fool, and so surrendered his archbishopric to the duke in a fit of foolishness. The duke banished him to the island of Ghernerueia; and then, by the decrees of a council," (held at Lisieux,) "bestowed the metropolitan see on Maurilius, a monk of Pescamp, adorned with every virtue."||

This compendious statement is too sketchy for us. It appears, from other accounts, that Mauger had objected to the relationship of William and Matilda; that he afterwards excommunicated them; that the slighted fair one appealed to

* Gemmeticensis alique.

† *Prose Chronicle in the Herald's Office, MS. of Robert of Gloucester.*—*Sismondi* notices the circumstance.

‡ *Chronique de Normandie.*

§ *Hist. du Siècle xi.*

|| *Gemmeticensis vi. 24.*

the pope; that she drew a frightful picture of her reluctant uncle's noble pastimes; that the holy father refused to grant a *pallium* to this episcopal fox-hunter and mitred falconer; that he was charged with having sold "the silver chalices" of great St. Mary's; and that—to conclude this historical romance in the best possible manner—the pope relented at last, and Manger was re-enthroned in triumph, like a second Athanasius.*

Of la "Damoiselle Guille," nothing more is recorded than that our primate met her at Saint, where we find a family of that name immemorably settled. It is probable that some Egidius or Guille was the hereditary gaoler of the prison at Saint, whom his namesake, de Rohais, afterwards represented. Manger's natural son, "*vir tantæ elegantie*," was translated, after some canonical difficulties, from the archdeaconry of Evreux to the bishopric of Worcester.

THE PRIMATE OF NORMANDY'S SONG.

A. D. 1065.

Non est meum, si mugiat Africa
Malus procellis, ad miseræ preces
Decurrere.—HORAT. *lil.* 29.

I AM the son of Duke Richard—that right noble Dane—
Whom all honoured and feared, for resistance was vain!
Norman blood through my veins flows in bright crimson rills—
'Tis as pure as the snows on old Norway's proud hills!

Rollo, Gori, Syvar, Halden, Hallad, Invar,
Once rejoiced in the toils and the perils of war;
In those wolves of the main,† crowns and sceptres to win,
Was invasion a crime? was ambition a sin?

Norman lips how they curled with instinctive disdain,
As we shook from our necks the false heir's galling chain;
Like one man, sheathed in pride, lords and commons advance—
Yet they failed against vain, intermeddling, old France.

At William's new trophies my rage was extreme—
Still, why should I repine? was not mine a gay dream?
A wild vision of splendour, a beautiful spell—
I rose bright, like the son of the morning, and fell!

Warriors fled: spurious William's escutcheon to blot,
Between him and his maid I then severed the knot;
Moved, alas! by the charmer's indignant appeal,
With a frown, Rome's apostle rewarded my zeal.

Can a wish fetter whirlwinds—law shackle the will?
No!—though chained on a rock, I am a sovereign still!
King of all I survey—search who will land and sea,
There is none, my sweet nun, Ghiseletta, like thee!‡

There are blossoms and voices on every thorn:
Let the mitre and crosier Maurilius adorn,
'Souls of ice, dipt in gall, envy, rail, or deride!—
Mecca's uxorious lord never wooed such a bride.

Side by side, far and wide, amorous gulls fondly play,
Dash, with silvery pinion, the glittering spray,
Earth and air's tenants pair, none, save turtles alone,
On Care's withering bough, linger, languish, and moan.

Come and braid thy long tresses with sea-gilliflowers,
Such as young Naiads wear in love's frolicsome hours!
Thus arrayed, looked and smiled, in her mantle of green,
Launval's dear Triamour, Oleron's fairy queen.

* Roman de Rou; Gul. Malmesb.; Vincent Bellocac.

† "Ah! why stir up the rage of my terrible child,
"Long-nosed, merciless Rol, that fierce wolf of the wild!"
(*Ragn-Hilda's Song*.)

‡ Ghiseletta, or Guillette, the diminutive of GUILLE, the name also given by a contemporary annalist to King Charles's daughter, Rollo's titular wife. I have already hinted that GUILLE of saint was probably a GUILLE's daughter.

Over Saint's emerald cliffs, near our lonely retreat,
As we roam, hand in hand, in communion too sweet,
Every time-hallowed rock, when the waves are at rest,
Seems a fortunate isle in the world of the blest.

As we stray, by the light of Love's pale evening star,
On the pearly sea-floor of enchanted Icar,
Hearts that feel what no tongue ever fully can tell,
May defy sullen care, and bid grandeur farewell.

Yet, enthroned in St. Mary's magnificent nave,
Sarnia's willing exile shall again cross the wave,
Crowned with honour and fame, like a true pontiff, live,
And, too high for resentment, forget and forgive.

P.S.—In the fourteenth century, the name of the spot where Mauger was confined was written SAING or SEING, not SAINT. I find "GUILLE DE S G" in a *bilie de partage* of that period.

HISTORICAL NOTICES OF THE CHANNEL ISLANDS.—No. 7.

(Continued from page 95.)

THE intestine feuds between Messrs. De Beauvoir and Peter Carey on the one hand, and Messrs. De La Marche and Dobrée on the other hand, had now arrived at a crisis, and either party resolved to bring the question of pre-eminence to a settled point. The first attack was directed against De Beauvoir, by an order of the court, which follows:

"On the 27th March, 1647, before John Carey, Esq., judge delegate; present John Bonamy, James Guille, John Blondel, Josias Le Marchant, Michael de Samarez, John Brehaut, Joshua Gosselin, and John Le Pelley, jurats:

"It appearing to the said jurats right and proper, that the seal of the island should be delivered into the hands of the judge delegate, as in such cases is customary; it is hereby ordered that the procureur, the sheriff, the greffier, and his Majesty's sergeant, shall signify the same to Mr. Peter de Beauvoir, Seigneur des Granges, who formerly held the office of bailiff, that he may deliver the said seal on Wednesday next, at eleven o'clock in the morning, in presence of the court, which will meet for that purpose at the college, and the said De Beauvoir is commanded to attend or take the consequences of his contempt."

This peremptory summons, being served on Mr. Peter Carey, by the procureur, the greffier, and the sergeant, he wrote the following answer to the court:

"GENTLEMEN,—When I receive an order or command from the parliament, or from the Earl of Warwick, our governor, or from any persons duly empowered by the parliament, to dispose of the place of bailiff, to the prejudice of him who now holds it, by virtue of his commission from the earl, who holds his authority from the parliament, in any such case I shall be prompt to pay all obedience and submission to whomsoever may present himself armed with such legal power. But in default of these formalities being observed, I cannot recognize any delegate, or bailiff, but Peter de Beauvoir, now established in that office, by authority of the lords of parliament, to whom I, having taken an oath to pay obedience, cannot treat it lightly, but to the prejudice of a clear and honest conscience, and the rendering myself worthy of their just reprobation. Moreover, the mode in which this demand has been made for the surrender of the seal, is opposed to the usual practice of the country. For these reasons, and others that I shall be able to establish before parliament, God willing, I cannot obey the order of the court. (Signed) Peter Carey, king's sheriff."

De La Marche and Dobrée, being thus defeated in this attack by the firmness of Peter Carey, determined to proceed against him with increased activity, and, accordingly, on the 28th of January, 1649, they preferred against him the following impeachment:

"1.—That Peter Carey has been chosen and admitted to the bench of justice against the laws and customs of this isle, they not allowing two brothers, or uncles, or nephews in a court of justice; nevertheless, and contrary thereto, Mr. De Beau-

voir, the bailiff, his near kinsman, has chosen and admitted him, though Messrs. Thomas Carey and John Carey, two of the jurats, be, one his uncle, and the other, his brother.

"2.—That he being lieutenant-bailiff, since your honourable the commissioners of parliament are in this island, hath tyrannically rejected the desires of your public officers of this isle, petitioning for an assembly of the States; and, of his own authority, refused the same, without asking the votes of the other jurats then present in open court, as it is usually done, whereby he has assumed to himself an arbitrary and tyrannical power over the court and the people, against the laws and customs.

"3.—That he has, by a like arbitrary power, joined with the bailiff and some of the other jurats, in disposing of a quantity of tin belonging to the realm of England, and sequestrated in the hands of Mr. John De Sausmarez, the receiver, which they had taken violently by breaking open his door; and employed the same to gratify the then governor, and disburden him of some charges, which he was bound to discharge upon the revenue, and to send messengers over to England for their own ends and affairs.

"4.—That Peter Gosselin, the greffier, having been accused, in open assembly of the States, with having spoken very bad language of the parliament of England, he, the said Carey, was not sensible of their honour so much abused, and would neither suspend the said Gosselin from his place, nor take bail to answer to the charges, as he was bound to do by the laws and customs of this isle, but rather countenanced the said greffier.

"5.—That he has suffered his son-in-law, Mr. Daniel De Beauvoir, to abuse in the assembly of the States, where he has no voice, Mr. Henry De La Marche, a member of the said States, with very injurious words, when the said De La Marche spoke in favour of the people's rights, which injuries are often given in court by those of his faction, to such as oppose, in any way, their tyranny, to the great scandal of the assembly.

"6.—That, against the laws of the island, he has caused Mr. James Le Marchant, his near kinsman, to be chosen jurat, by the less number of the electors, against the opposition of the greater number of the said electors, though they departed away without giving their votes, and, in consequence thereof, proceeded to the admission of the said Le Marchant, against the said opposition, and appeal made against the same to the commissioners of parliament, being then here, which appeal he refused to grant; whereby he, the said Carey, has assumed to himself tyrannical and arbitrary power, and been guilty of misdemeanour and contempt against the parliament of England.

"7.—And whereas a good and righteous judge ought to declare unto the people, what law and truth mean; but the said Carey, not regarding his oath and conscience, has not only named himself, but likewise induced, by his speeches, the other electors to name the said Le Marchant for a jurat, it being against law for an uncle and a nephew to sit together on a bench of justice.

"8.—That he the said Carey, does usually join with Mr. Peter De Beauvoir, bailiff, to abuse, with foul language and injurious words, the well affected, and others who will not side with them, in carrying on their particular designs and factions.

"9.—That the said Mr. Carey has opposed the admission of Mr. William Dobrée to the office of constable of the town, for the space of three months or thereabouts, upon the bare opposition of the greffier; and the said Mr. Carey made himself a party against the admission of the said Dobrée, notwithstanding the said Mr. Carey himself has acknowledged, since your honours came here, that the said Dobrée was lawfully chosen.

"On the 28th day of January, at the chief pleas, the above articles of impeachment were presented by the governor, and avowed by Thomas Dobrée and Henry De La Marche, after having been publicly read. (Signed) E. Picot, greffier."

To this accusation, which Mr. Peter Carey characterized as scandalous and defamatory, he made the following answer, replying to all the articles consecutively and seriatim:

"1.—The respondent observes, that it is owing to the ignorance of his accusers as to the laws and customs, that they insist on the illegality of two brothers, or of an uncle and nephew, sitting together on the bench of justice; the ancient usage and practice being entirely opposed to their assertions, as it appears from the following examples, and from many others which occurred at a date prior to those cited. Mr. James Guille and Mr. Colas De La Cour were brothers-in-law. Mr.

William De Beauvoir, Mr. Henry De Beauvoir, and Mr. Thomas Effart were brothers and brothers-in-law. Mr. Henry De Beauvoir, Mr. Peter De Beauvoir, and Mr. John Effart were brothers and brothers-in-law. Messrs. John and Colas De Sansmarez were brothers. Messrs. Louis De Vic, Peter De Beauvoir, and John De Sansmarez were brothers-in-law. Mr. William Le Marchant, Mr. Eleazar Le Marchant, and Mr. Nicholas Martin were brothers and son-in-law. Messrs. Nicholas Carey, William De Beauvoir, and Peter Carey were brothers and brothers-in-law. Mr. Peter Carey, Mr. Nicholas Carey, and Mr. Thomas Andros were uncle, nephew, and brother-in-law. The register of the court is full of similar instances, which my accusers may see, if they choose to read them. Dobrée himself is a member of a certain corporation, in which there are five brothers, a brother-in-law, two fathers-in-law, an uncle, and a crowd of cousins. Moreover, they attack the wrong person, in finding fault with me for having been admitted a jurat; they ought to censure those by whom I was elected; it is for them to justify their choice, that being their own act, and not mine; to which I may here add that, at my election, Dobrée gave his vote to Mr. James De Havilland, who already had his brother-in-law on the bench.

"2.—Carey refers to the answer which he addressed, in writing, to the constables, concerning the reasons of his refusal to convene the States, for which he is ready to answer before the commissioners of parliament, to whose judgment he refers. He further remarks, that the charge of tyrannical and arbitrary power, brought against him by De La Marche and Dobrée, is calumnious and injurious, for though Carey himself could not conscientiously assent to the meeting of the States, yet the votes of the jurats were regularly taken, and they were actually assembled, although the said Carey did not attend.

"3.—Carey answers, that the order for seizing the tin was signed by the governor, the bailiff, and eight of the jurats, of whom he, the said Carey, was the last; it argues bitter maliciousness on the part of De La Marche and Dobrée, to fix the odium of this transaction, had there been any, on Carey, rather than on any of the others, which circumstance he notices, not in any respect to excuse the fact, which, on the contrary, he justifies, and declares to rest on the best foundation, which he will maintain with the other jurats before the parliament, to whom they have already accounted for the disposal of the proceeds, which were applied to the maintenance of the garrison of Serk, which was then in great want of provisions, and approaching a state of insubordination, the soldiers threatening to abandon the place, for want of payment. And they are guilty of falsehood in asserting that the bailiff and jurats employed the proceeds of the sale of the tin to pay the private expenses of the governor, and to forward their own personal views and interests; moreover, the opposition made by the said De La Marche and Dobrée to pay the sums agreed upon for divers goods that they have bought, abundantly proves their mercenary disposition, and gives cause to suspect their intentions, which prompt them rather to consult their own advantage, than the good of their country, or the honour of parliament.

"4.—This article of the impeachment breathes the same spirit as those which precede it, attributing to Peter Carey, personally, the acts of the whole court, who answers, that the acts of the court, and the proceedings which it has sanctioned, will justify them against the accusation of De La Marche and Dobrée, and effectually refute their calumnies; for the court has always been, and still is, as in duty bound, tenderly sensitive of the honour of parliament.

"5.—Carey replies that, on the election of the jurats, he was giving his vote, when he was interrupted by Henry De La Marche, who, according to his invariable practice, began to vilify him, when exercising his functions, as a magistrate; which so incensed his son-in-law, M. De Manoir, (who, though not a member of the States, feels nevertheless more interest in its welfare and dignity than they do,) that he could not restrain his temper, and called him "Maraut," the only abusive word he uttered; on which the said Carey reproved him publicly before the whole audience, with which reprimand De La Marche, at the time, appeared so well satisfied, that he did not demand any further reparation or satisfaction; and as to the concluding part of this article of impeachment, Carey answers, that if there are factions, and disaffected persons in the country, De La Marche and Dobrée are their authors and promoters. Carey further desires that the charges of tyranny and public injuries be proved by irreproachable witnesses, all of which he disclaims, and declares to be false, and for which he demands full and ample reparation.

"6.—To the sixth article he replies, that (besides the unfairness of imputing to Carey individually, what applies to the court in a body, whose decrees depend on a majority of votes,) according to the immemorial usage of the country, and con-

formably to the mode by which all the jurats now on the bench have been elected, in like manner was Mr. James Le Marchant. If some of the electors, seduced by bad advice, have declined giving their votes, that was their own fault, and not the fault of any jurat, it being an established custom, in reference to the election of magistrates, that all persons duly qualified, who attend the meeting, may freely tender their votes; but they, whose names are called, and are absent, or do not answer, lose their suffrage for that election. So false and injurious is the accusation, that the election alluded to was carried against the laws and customs of the country; neither is it true that any considerable number of the electors were absent. And as to the pretended appeal to the commissioners of parliament, they know full well, if they chose to avow it, that the commissioners were not empowered to act at that date, nor have they done so since in such matters; but the governor of that time approved of the election. All their charges of arbitrary power, of tyranny, and contempt of parliament, which they attribute to the accused Peter Carey, are thus shown to be false and malicious, and a detestable calumny, for which he humbly demands reparation proportioned to the atrocity and indignity of the said charges.

"7.—The said Carey appeals to the memory of all who were present at the said election, to testify to the language in which he remonstrated with the people; and if Dobrée and De La Marche understand the meaning of the words law, truth, oath, and conscience, which they speak of in the seventh article of their impeachment, they might have read their explanation in large and legible characters in that remonstrance. And as to the gentleman to whom Carey gave his vote, he maintains that he is a person highly qualified, and that he merits the office, which he has since exercised with a clear conscience, without incurring the reproach of any one, besides which he has suffered greatly for the cause of parliament.

"8.—This article, like the preceding ones, displays a calumnious spirit against Mr. Peter De Beauvoir and the accused Carey, who, God willing, will exact reparation for the various injuries and defamations of the said De La Marche and Dobrée; who, in violation of their oaths, taken on their admission into the office of constables, and despite the many obligations they owe to the said De Beauvoir and Carey, wish to dishonour them, if that were in their power. The said Carey, for his own justification, (without boasting,) submits his character not to the scrutiny of twenty or thirty persons, but to all the inhabitants of the island, who will testify as to his morals and his general conduct in life, and as to the mode in which he has discharged his various official duties for twenty years past; and he is prepared to forfeit his honour, his property, and his life, if any man can declare truly, and with an honest conscience, that since he, the said Carey, has exercised any public trust, (which he first did when only eighteen years of age,) he has ever wielded any undue influence,—ever received any presents, even to the value of an egg;—if he has ever denied justice, or committed injustice; and finally, whether he has not, on all occasions, conducted himself in his different appointments, as an upright functionary, and as an impartial judge.

"9.—They impute generally, as a crime to Carey, the acts of the whole court as a body; and not content with vilifying him, they also implicate the governor, to whom, they say, Carey confessed that the election of Mr. William Dobrée was legal, which assertion, he is sure, the governor will deny. The conversation which passed between the governor and Carey on this subject, was to the following effect. The governor asked Mr. Carey if, in times past, any election for the office of constable had passed with the same forms as that of Mr. William Dobrée, that is to say, by the votes of the constables and douzainiers only: to which the said Carey replied in the affirmative. But he further stated, that at the election next preceding that of Dobrée, an alteration had taken place, the constables themselves having summoned such of the people as were present to give their votes, and that, according to this amended form, it was generally desired that the election of the said William Dobrée should proceed; and that this was the sole cause of the opposition made by Mr. Peter Gosselin, and not by the said Carey, as it has been falsely affirmed."

(To be continued.)

VARIORUM ADDENDA TO THE HISTORICAL NOTICES. No. 2.

"At the court of Hampton, the 1st of July, 1781. Present the king's most excellent Majesty, &c.

"*Greenwich Hospital*.—It is this day ordered by his Majesty, with the advice of his privy council, that a printed copy of the act of parliament passed in the second year of his Majesty's reign, intituled an act for the more effectual collecting in Great Britain and Ireland, and other parts of his Majesty's dominions, the duty granted for the support of the Royal Hospital at Greenwich, be transmitted to the royal courts of Guernsey and Jersey, requiring them to register and publish the said act, and to cause the same to be carried into due execution.

"All acts of parliament to be registered before they have the force of law. And it is hereby further ordered by his Majesty that, *for the future*, whenever any act shall be passed in the parliament of Great Britain relating to the said islands of Guernsey and Jersey, printed copies of such acts shall be transmitted by the clerk of his Majesty from council, as soon as conveniently may be, to the royal courts of the said islands, signifying to them, at the same time, his Majesty's pleasure to register and publish the said acts, and to cause the same to be carried into due execution. (Signed) James Vernon."

"At the court of St. James', the 26th March, 1771.

"*Jersey Code of Laws*.—The king and council approved of a code of laws for the island of Jersey, as agreed upon by the States of that island, which are confirmed and ratified, and the said code, together with the order in council, confirmatory of the same, are entered upon the register of the said island, and are to be observed accordingly, the whole being in accordance with a certain order of the king and council of the 21st of March, 1679, adopted by the States on the 3rd of July following.

"The substance of this order in council declares, that the laws and privileges of the island of Jersey are confirmed, as of ancient times, and that no orders, warrants, or letters missive of any sort, shall be put into execution within the island, till after having been presented to the royal court, in order that they may be registered and made public; and in case any such orders, warrants, or letters missive, shall be found contrary to the charters and privileges, or burthensome to the said islands, the registry, publication, and execution, may be suspended by the royal court, until the case has been represented to his Majesty, and his will and pleasure on the same be signified. And as to acts of parliament, in which the island is named, and in which the inhabitants are interested, they are to be specially set forth under the great seal of England, and forwarded to the said island, to be there registered and published, in order that the people may have full cognizance of them, so that they may not be guilty of their infraction."

"1806.—Extract from a minute of the lords of the committee of council for the affairs of Guernsey and Jersey, dated 28th of April, 1806, referring to the registration of acts of parliament.

"The committee think it proper to state to your Majesty, that the question, whether the registration of an act of parliament, wherein the islands of Guernsey and Jersey are expressly named, be necessary to make such an act obligatory in the said islands, appears to have arisen in 1698, upon a representation made at that time from the island of Jersey to his Majesty in council, praying a suspension of the act of navigation, passed in the twelfth year of the reign of Charles the Second; and the question having been referred to Sir John Trevor, at that time his Majesty's attorney-general, he reported his opinion in the following terms:

"That the registering any act of parliament made in England, wherein the island of Jersey is expressly named, is *not* necessary in point of law to make it obligatory there, and such registry is only for the convenience of the island, that they may have notice of what acts are made in England to bind them.

"And the lords of the committee for the affairs of Jersey and Guernsey at that time having concurred in the said opinion of his Majesty's attorney-general, it was ordered by the lords justices that the same should be transmitted to the bailiffs and jurats, that they might govern themselves accordingly. Upon the whole, their lordships are of opinion, that as the act in question (the smuggling act) is binding by its own force, and there exists no power of suspending its execution either in the whole or in part, the delay in registering can have no other effect

than to deprive the inhabitants of Guernsey of that usual ratification of its provisions which was meant to be given them by the registration directed by your Majesty's order in council of the 15th August last; and that, if any inconveniences should arise from the want of such registration, the same will be imputable to the non-compliance of the royal court with your Majesty's order.

"Their lordships, however, are persuaded that none of the members of that court have any wish to produce such inconvenience, but that they have acted under an erroneous supposition that it was competent to your Majesty to suspend the execution of some part of the said act, whilst it remained unregistered. Although, therefore, the registration of the said act be not necessary to give it a binding effect within the island of Guernsey, yet it may be desirable that such registration should be made in the usual manner; their lordships, therefore, submit that it may be advisable for your Majesty peremptorily to direct the royal court forthwith to proceed to carry into execution your Majesty's said order in council."

"Extract from Mr. Hobhouse's letter (under secretary of state) to Sir John Colborne, lieutenant-governor of Guernsey, Whitehall, 24th November, 1831.

"By a minute of the lords of the committee, dated 28th April, 1806, it appears to have been the opinion of the law officers of the crown, and to have been ruled by the exchequer, that his Majesty's subjects in the islands of Jersey, Guernsey, and Alderney, are bound to take notice of every act of the British parliament, although no registration thereof shall have taken place. The act,* therefore, transmitted to you in my letter of the 19th September, *with the order in council*, directing it to be registered, must be considered as binding, as if it had actually been registered, and there exists no power in this country to suspend the operation of the act. Under these circumstances, Lord Sidmouth desires that you will communicate the enclosed extract of the above-mentioned minute to the bailiff and jurats of the royal court, and recommend them to register the act immediately, without waiting for a peremptory order in council, which, according to what was done in 1806, his Majesty would probably be advised to issue."

"*Island of Serk.*—King James' patent, relative to this portion of the bailiwick, contains the following clauses:

"1.—The lands and tenements not partible, but descendible, wholly and entirely to the eldest son.

"2.—No tenant to raise, set, or impose, any charge, payment, or incumbrance on his tenement.

"3.—No stranger to reside in Serk, without having taken the oath of allegiance, and without having obtained the consent of the Lord of Serk.

"4.—The Judge of Serk to receive the oath of allegiance from strangers.

"5.—Contracts to be passed under the seal of the Lord of Serk."

"*Weights at Guernsey.*—At the court of St. James', the 29th November, 1729. Present, the king, &c.

"The constables and douzainiers of St. Peter's-Port having petitioned council on the 13th May, 1727, against two acts of the royal court, dated 17th Feb. 1717, and 20th January, 1720, by which the standard weights had been altered, and the said petitions representing that the royal court had no power to make any alteration therein, the weights being a branch of the royal prerogative; his Majesty in council declared the said acts of the royal court null and void, and fixed the standard of weights to consist of sixteen ounces to the pound."

"*Seat of the Clergy in the States.*—This point of etiquette was settled by an order in council, dated the 18th of December, 1735. The part of the order which determined this formerly controverted question between the clergy and the court, is to the following effect:

"His Majesty this day took the said report into consideration, and was pleased, with the advice of his privy council, to approve thereof, and to order (as it is hereby ordered) that the clergy of his said Majesty's island of Guernsey be restored to their usual seat on the left hand of the bailiff, or lieutenant-bailiff, in all assemblies of the States in his Majesty's said island of Guernsey, and that the aforementioned act or order of the royal court whereby fines have been imposed upon the petitioners for their non-attendance in the assembly of the States, be reversed and set aside, and the said fines restored to the petitioners in case any have been

* The act alluded to related to the Corn Bill.

paid. Whereof the bailiff and jurats of his Majesty's royal court of Guernsey, and all others whom it may concern, are to take notice, and govern themselves accordingly. (Signed) Temple Stanyman."

"Dean in the States.—At the council chamber, Whitehall, the 26th day of June, 1760. Present, &c.

"Whereas the Right Reverend the Lord Bishop of Winchester, whose jurisdiction extends over the clergy in the island of Guernsey, and the Right Honourable the Lord Delawarr, his Majesty's governor of the said island, have represented to this board :

"That the Dean of Guernsey is always appointed by the governor of the island immediately under the king, and, when made so, is always constituted by the Bishop of Winchester, his commissary, or judge of the ecclesiastical court of that island, and has ever enjoyed the privilege of being summoned as a member of the States of that island, and of giving his vote in them ; but it appears that the royal court of Guernsey have refused to summon the present dean, or to allow him his rote, demanded by him, and never denied to any of his predecessors, and therefore they humbly request that orders may be given for granting to the present dean all the power and privilege which his predecessors in the same office have always enjoyed.

"Which representation having this day been taken into consideration, it is judged proper to order, and it is hereby accordingly ordered in council, that the present dean of the island of Guernsey, do hold, possess, and enjoy, all the power and privilege, which his predecessors in the same office have, at any time heretofore, held, possessed, and enjoyed.

"And the bailiff and jurats of his Majesty's royal court of the said island of Guernsey, and all others whom it may concern, are required to take notice hereof, and govern themselves accordingly. (Signed) W. Sharpe."

ORDERS IN COUNCIL IN THE REIGN OF QUEEN ELIZABETH.—No. 2.

VARIOUS complaints having been made to Queen Elizabeth by the inhabitants of Guernsey, on the 28th of August, 1580, the lords of the privy council forwarded the following order to William de Beauvoir, bailiff, touching the matters complained of :

"Whereas complaint has been lately made to the lords and others of his Majesty's privy council by the inhabitants of the isle of Guernsey, of divers grievances wherewith the said inhabitants have found themselves over much charged within these late years, contrary to the ancient privileges, customs, and laws of the isle, and contrary to such grants and confirmations of privileges, as her Majesty and her progenitors have, from time to time, given them, which her Highness's meaning and pleasure was should always be inviolably observed for the better and more quiet government of the said isle, and contrary also to such orders, as by the lords and others of her Highness's privy council have been heretofore set down in that behalf. Their lordships, thinking it convenient for the better establishment of good unity and concord between them (the true bond of due obedience and peaceable government) to have those griefs and doleances removed, did not only look into the substance of the said complaints themselves, by hearing the matter shortly laid open to them by such as came hither deputed by certain persons of the said isle, but also committed the further particulars of the same to be heard, and at good length reported unto them by certain commissioners chosen for that purpose, who accordingly heard what each party could allege for themselves, and having thereupon exhibited their opinions unto the said lords of the council touching the whole state of the cause, as they found it, the said lords, upon the full hearing and deliberate consideration thereof, have for a final resolution taken such order as follows :

"1.—Whereas complaint is made by the inhabitants of the said isle that

they are compelled to pay custom for their goods brought into the said island in stranger's bottoms. It is ordered that the payment of stranger's customs by the said inhabitants for such goods as shall be brought in by them, shall be continued as an ordinance thought meet for the maintenance of the navy, and that no greater custom shall be exacted of them upon the goods so brought in, than has been heretofore paid by the strangers; and for herrings brought out of Ireland, there shall be no such custom paid.

"2.—Whereas they complain that wreck at sea is taken, where it ought not to be. It is now ordered that the order prescribed in the book of the extent shall be duly observed, and any doubt arising shall be resolved by the privy council.

"3.—Whereas they complain of their horses being taken for the use of the governor and soldiers, and their afterwards being turned at large. It is ordered that in taking of horses, the captain is in no manner to be restrained, so that it be for public use of her Majesty's service, and not otherwise, in which case he shall see that the horses taken be restored to a place certain, which place is thought meet to be at St. Peter's-Port, a place indifferent to both parties.

"4.—Whereas they complain that they are amerced for putting or suffering their cattle to break into their own corn. It is ordered that the former law and order of the *messiers** shall be continued, and the damages be assessed by the judgment of the jurats.

"5.—Whereas they complain that the farmers of the conger house will not suffer such provision to be had for the town, nor the fishermen to make their profit of their fishery, according to the order set down in the book of extent. It is ordered that the former order, taken in the year 1568 for the conger house, shall be continued, and the difficulties arising be tried by the records before the bailiff and jurats according to the said order, and that the weights be restored, and an account rendered for the time past.

"6.—Whereas they complain that account of the treasure of the parish is not yielded, as it was wont to be. It is ordered that the captain shall give order that the collectors of the parish, who have not yielded account of the common treasure, shall make their account.

"7.—Whereas complaint is made of an extraordinary kind of disposing of the goods of such as die in the said island, otherwise than the will of the testators. It is ordered that, for the better disposing thereof, according to the will of the testators, the probate of the testaments and sequestration of the fruits of benefices in time of vacancy, and the accounts due to be made of them by the sequestrators, and reformation of wastes and dilapidations, as well during vacancy as when there is an incumbent, shall be ordered by the bishop of Winchester for the time being, and such of the isle as shall be appointed by the captain, bailiff, and jurats, to confer with him about the same.

"8.—Whereas they complain that the supervisors, who were appointed by the country to see and view yearly the employment of the third part of the treasury of all the churches in the isle, for maintaining of a stock of victuals for the provision of the castle and the isles, are not permitted to see the said employments. It is ordered that there shall be an account of the stock made of the third part of the said treasure of the churches yielded in the presence of the bailiff and jurats; and two of the principal and chief men of each parish shall be present at the yielding of the same.

"9.—Whereas they complain of fees taken by the bailiff and jurats in matters committed to their judgment. It is ordered that the captain shall see it ordered according to the book of precept.

"10.—Whereas they complain that there is a greater tax laid upon them by the bailiff and jurats for the tenth of their calves, pullets, and lambs, than in former times has been accustomed. It is ordered that the said taxation

* The *messiers* were officers appointed to impound all strayed cattle, found between the middle of March and the feast of the nativity of John the Baptist. Their duties will appear more clearly, when we write concerning the old extents.

laid upon the inhabitants in lieu of tithes shall be propounded to the generality, as in like cases has been accustomed, and after the same being by them submitted to her Majesty, shall be moved to yield confirmation.

"11.—Whereas they complain that the bailiff and jurats restrain all mariners and fishermen from selling fish, save only in the market. It is ordered that the said restraint shall be considered upon by the captain, and such order taken therein as by the book of extent is limited, or by ancient custom has been observed.

"12.—Whereas they complain of penning up the water in the great marsh by the receiver, by occasion whereof they cannot make carriage of compost into their lands. It is ordered that the bailiff and jurats shall make view of the place, where the waters are said to be penned up in the great marsh by the receiver, and give remedy, if there be cause.

"13.—Whereas they complain that the rents given to the poor are not employed according to the meaning of the donors. It is ordered that there shall be a survey and inquisition made by the bailiff and jurats, and two of the chief men of every parish in the said island, of the said rents given to the poor, whether they be so employed or not, and in case of default, to see it provided for and amended.

"14.—Whereas they complain of taxes imposed by the bailiff and jurats. It is ordered that the captain shall see all such exactions of taxes, extraordinarily imposed upon the inhabitants by the bailiff and jurats, redressed.

"15.—Whereas there was a transaction made upon some reasonable consideration with a priest, who had a benefice in the parish of St. Saviour in the said isle, which he resigned for a pension, thought meet so to be done for the benefit of the said parish, the man not being well disposed in religion. It is ordered that the pension shall be continued, that was allowed and given unto him for the resignation of his benefice.

"16.—That whereas there hath been heretofore a certain petty custom given by her Majesty, to be levied upon strangers' goods, to the inhabitants of the isle towards the making of a certain pier or causeway, before the town of St. Peter-Port, which was begun ten years ago, and has ever since been left off, and not gone forward, which the bailiff and jurats having notwithstanding, ever since, or for the most part of the said ten years, intermeddled with, that is to say, with the said custom so appointed to be levied as is aforesaid, for which they have given no account to the parishioners of the said town: the bailiff and jurats shall be called upon before the captain to account for the said receipts, and so much as shall be found remaining in their hands not employed to the use aforesaid, shall be converted to the advancement of the said work, and the said custom shall be continued, and other contributions be levied by the consent of the generality upon the richer sort of the inhabitants, and a further charge to that purpose shall be laid upon strangers, in such a convenient and moderate rate, as may not alienate their minds from resorting thither, as they have been accustomed to do, with their merchandize, until the work be finished.

"All which articles and orders before-mentioned, the lords not only commanded to be entered into the council book to remain of record, but also gave order that the same be enrolled in the chancery, and the copies thereof subscribed with their lordships' hands, to be severally sent as well unto the captain as to the bailiff and jurats of the said isle, with commandment in her Majesty's name to keep and observe the same.

(Signed) "W. Burleigh, R. Leicester, Thomas Wilson, E. Lincoln, H. Hunsdon, Warwick, James Crost, Francis Walsingham."

AUTHORITY OF THE COMMISSIONERS APPOINTED BY JAMES THE FIRST, A. D. 1607.

On the sixteenth day of October, 1607, before Amice De Carteret Esq., bailiff, present Andrew Harris, John Andros, William Le Marchant, Nicolas Martin, George Guille, Leonard Blondel, Peter Brehaut, Nicolas Carey, and Thomas Beauvoir, jurats, present also the lieutenant-governor, and the douzainiers of all the parishes of the island of Guernsey; was read the royal commission sent by his Majesty to this island of Guernsey of the tenour which follows, word for word, being sealed with the great seal of England of yellow wax.

“James, by the grace of God, king of England, Scotland, France, and Ireland, defender of the faith, &c. To our trusty and well-beloved Sir Robert Gardiner, knight, and James Hussey, doctor of the civil law, and one of the masters of our court of chancery, greeting. Whereas, in our princely care and earnest desire for the establishment and maintenance of justice, and for the security and weal of our subjects generally in all our realms and dominions, we have been very mindful of the good estate of our loving subjects, the inhabitants of the isles of Guernsey and Jersey, and other dependencies, a portion remaining as yet unto us in possession of our ancient duchy of Normandy, and have been, and are, rather moved thereunto both for their entire and inviolate fidelity borne by them towards us, and our predecessors, kings and queens of England, testified and declared by many their worthy and acceptable services towards this our said crown.

“And also in respect of their situation, farthest remote from the rest of our said dominions, and for that cause needing our especial care, and regard to be had of them, being thereby most exposed to the danger of invasion or incursion of foreign enemies.

“And whereas we are informed that, notwithstanding we have already been pleased in our princely favour towards them for their better comfort and contentment in the continuance of their duties and zeal towards us and our service, not only to confirm all, and every, their ancient charters, aliniments, and privileges, but also to enlarge the same in sundry points for their behoof, there are nevertheless divers matters concerning the state and government of those isles that do require reformation and amendments, by reason of many defects and ambiguities which, either through the length and alteration of times, or by the misinterpretation and wrongful use and practice of persons, have grown and risen in the laws, customs, and forms of government in those islands.

“Wherefore many controversies have happened, and do yet depend, as well between some of our officers and chief persons of authority and government in those isles, as also between sundry other private persons and particular parties there, one against another; whereof manifold complaints and appeals have been made and brought unto us, and our privy council, all which defects, ambiguities, differences, inconveniences, and complaints, we are desirous, both for the ordering and compounding of all matters in controversy at the present, and also for the prevention of like inconveniences and contentions hereafter, and for the settling of a more undoubted and settled order and course for the government of our people there, according to equity and justice, to have examined, elected, and reformed by the means and help of commissioners expressly to be sent thither for those said causes.

“Know you therefore, that we, having special trust and confidence in your approved wisdoms and fidelities, have assigned, nominated, and appointed you to be our commissioners to go into both the said isles, and by these presents do give full power and authority unto you, as well to inquire and take knowledge of all such defects, ambiguities, inconveniences, and imperfections, as are to be found in the laws, customs, and government of the said isles, and which have grown by the means before-mentioned, and to consider of them, and how they may be reformed and amended, reducing

your observations thereof into some good form in writing to be presented unto us and our privy council at your return; and also inform yourselves upon such petitions as shall be exhibited unto you by any of the inhabitants; and upon examination by the oath of any parties, and by all other good and lawful means of the state of our rents and revenue of those isles; and of all particular doubts and differences that shall be brought in question before you concerning the state, and thereof likewise to make a good certificate in due form in writing to be presented unto us and our privy council at your return.

"And whereas also divers controversies and differences have often happened, and do yet depend between our captain and governors, appointed by us for the better safety and defence of the said isles, and the bailiff and jurats of the same concerning some rights and duties pretended by them to appertain to their several places, by question and doubtfulness whereof, if the same be not decided either by the said captains on the one part, or the said bailiff and jurats with the inhabitants on the other part, may receive prejudice, and a very troublesome and inconvenient contention on both sides may be continued; we do in like manner, by these presents, require and authorize you to take knowledge of all such matters of controversy between our said captains, and our said bailiffs and jurats, upon the aforesaid pretences, as shall be offered unto you, either on the one part or the other, and upon due examination and consideration, had thereof to do your endeavour with all uprightness and indifferency to make and settle a good and firm agreement between them in every one of the said matters and causes, both for the present, and for the future time, having due regard to the maintenance of our royal prerogative together with the true and ancient liberties of our said people of those islands, and of such matters as you cannot compound and make a firm agreement, to deliver unto us and our privy council at your return a particular and perfect certificate in writing, together with your opinions concerning the same.

"Lastly, whereas there has been usually heretofore from time to time such a multiplicity of appeals and complaints brought hither of wrongs and grievances between party and party, being private persons, and for matters of particular rights and interests, as hath been very troublesome both to us and our privy council, and to the parties themselves that come over to make or answer the said appeals, and complaints, of which kind of appeals or complaints very many are yet depending, upon remittance of them from our privy council unto the bailiff and jurats of the said isles, for justice to be done them, according to the laws and customs thereof; we do by these presents further authorize you to take knowledge of all the said particular appeals and complaints between private persons there depending, and the same by the best judgment and discretion, having at first taken the advice of our bailiffs and jurats for the better information in the laws and customs of the said isles.

"Finally to determine, (which determination in the said particular matter of appeals and complaints we will hold, and require to be holden for good and final,) and moreover with the advice and assistance aforesaid to consider of an orderly and settled course hereafter to be holden for the ease of our subjects of those isles, that upon so many appeals for so light causes as have been usual, they may not be troubled to repair hither, but may receive a determination of their suits there, according to the laws and customs of those isles, and to notify to us, on your return, of the said orderly course from henceforth to be holden, that we may, if it shall be to our liking, approve and confirm the same, always reserving unto us and our privy council such appeals as, in certain cases, are well known by the orders and constitutions of those isles to be merely appertaining to our prerogative, and such others as, for the greatness of the matters in suit and question, have been used to be brought hither, and shall be thought meet to be continued. And for the better execution of the premises, as we do hereby authorize you to call unto you, and do think it meet that you should call unto you, as

you shall see cause, our captains of the isles, or, in the absence of them, their lieutenants, the bailiff and jurats, or any other of our officers and ministers, for your help and assistance, especially in such cases wherein they or any of them, so called by you, shall not be parties, or have any private interest in the matter in question: so we do hereby well and straightly commend them, and every one of them, and all others, our loving subjects of those islands, or being under the jurisdiction of those islands, to be aiding, attendant, helping, and assisting unto you in the due execution of this our commission, as they and every of them tender our pleasure and will, and answer the contrary at their utmost perils. And for your assistance in the due execution of this our commission, we have made choice of our trusty and well beloved John Herald, of St. Saviour's, gentleman, in regard of his experience in the languages and customs of those isles to attend you, whose service and assistance we require you to use from time to time, as occasion shall serve.

"Witness ourselves at Westminster the five and twentieth day of July, in the fifth year of our reign of England, France, and Ireland, and of Scotland the fortieth."

In subsequent numbers, we shall give a minute and copious account of the proceedings of this commission, which cannot fail to excite a most extraordinary interest.

COMMERCE OF JERSEY.—No. 3.

HAVING taken a review of the agricultural industry of Jersey, I shall next consider some of the other branches of its home industry, such as are more peculiarly insular, and afterwards that home industry which is promoted by its foreign trade, of which by far the most important are the fisheries in British North America, both from their extent and permanent nature. It is my intention in this article to give an account of the oyster fishery of Jersey, not that it is the most important trade of the island, but because it is *one* of the most important, from its entire locality; it not being, strictly speaking, connected with foreign trade; and also from the industry of which it is the parent. It also deserves notice from the long pending negotiations between the English and the French governments relative to the limits, beyond which the natives of either country should not dredge for oysters, and from the evils which are occasioned by the present boundaries. I shall, therefore, take a review, though brief, of its past history, its present state, its value, and its influence in promoting the industry of many families.

The fishery is on the Eastern coast of the island, and the beds of oysters are found in various parts between that and the neighbouring shores of France. It dates from a distant period, for we find the Royal Court of Jersey in 1606, then vested with the legislative and judicial powers, expressing their conviction of the influence which the fishery possessed in promoting the welfare of a numerous body of the people: and, in the code of laws for Jersey, dated 1771, but passed in 1755, we perceive the interest which the States felt for the preservation of the fishery, by their enactments relative to it. But, notwithstanding this early care manifested for its growth and prosperity, the commencement of the latter can scarcely perhaps be referred to a period earlier than 1797, when a great increase in the exportation of oysters took place. Its importance was more felt, and a great number of fishermen from England came over during the fishing season, which, previously to 1797, gave employment to fishermen from the island only. Annually increasing in importance, the fishery, from 1810 to 1819, rose to a state of great prosperity, employed yearly about three hundred vessels and fifteen hundred seamen, and at length drew the attention not only of the States, but of the English Government. Industry was not confined to the fishermen, but many persons on land were employed: "*un millier des*

habitans les moins aisés du pays," according to the Report of the Committee of the Piers and Harbours to the States, "trouvaient leur subsistance à préparer les chargemens; et la circulation d'une somme considérable donna plus d'activité aux opérations du commerce général de l'île." The States, in order still more to encourage the fishery, built a harbour near Mount Orgueil Castle, at an expense of £16,000; and, I may here add, an enlargement of that harbour is now taking place, from the same motives.

But opposition was to be encountered, and that from a powerful source. No nation perhaps has entertained more jealousy of others, and of their commercial prosperity, than the French. We have had to experience, and we still experience, the effects of this jealousy. Desirous to ruin the oyster fishery of Jersey, and to procure its benefits entirely for themselves, they commenced a system of vexations against the English fishermen. In consequence of the just complaints to which these gave rise, the British Government, in 1822, issued an Order in Council, tending to protect the British fishery to a distance of one league from the French land. That protection was but of short duration; for, in 1824, was signed that provisional convention which struck a severe blow at the advantages which British fishermen had previously, naturally, and justly, enjoyed. I shall not adduce the arguments which were brought forward by the Prince de Polignac, then ambassador from France at the court of London, in favour of his views, but which were partial and futile, as that would require too much space, but I cannot refuse to remark, that one of them rested on a spirit of reconciliation—dictated by craftiness and plausibility, characteristic of French diplomacy—and likely to produce the desired effect on English straightforwardness and generosity. Therefore, continues the Committee in their Report, "pour concilier les différens qui s'étaient élevés, il était nécessaire, selon lui, de tout concéder à la France. Certes, c'était là un nouveau système de conciliation!"—But it would appear that this had some weight with our Government, for the Order of 1822 was recalled, and a provisional convention signed, much against the interests of the English, and which, although stated to be provisional, has not yet been remedied, for the French are not at all desirous of a definitive treaty, fearful lest some of their "provisional" privileges should be curtailed.

The Order of 1822, with the terms proposed by the English Government and the convention of 1824, are deserving of some brief explanation. By the former, the French and English would have had an exclusive right to the fishery, to an extent of one league from low water mark along their respective coasts, and the space intervening beyond these lines of demarcation, to be enjoyed by both, and in the exclusive right of neither. This would have set aside those subjects of dispute and contention which have since prevailed, and have established limits easily known. But let us turn to the proposals of the French ambassador, which were finally agreed upon. By these, we were to be restricted from dredging oysters apparently within two leagues from the French territory; but, by the interpretation which was afterwards given to the convention, by persons appointed by both Governments for the putting of it into execution, we were actually, in those places in which oysters are abundant, prevented from fishing within three leagues of the French shore. The injury which was thereby inflicted was very severe; for the beds, on which oysters were most plentiful, were low within the French limits, and our fishermen had now to dredge in deep water, where their labour was of course greater and their reward less. The boundary too of three leagues from the French shore must appear unreasonable to the unprejudiced and uninterested, when it is remembered that in this neighbourhood, the distance between France and Jersey is not more than five or six leagues. The object of the French, in this convention, was to draw the whole of the trade to Granville, to concentrate the products of the fishery there, which they hoped to effect by throwing serious difficulties in our way, and increasing our expense in procuring oysters. But English seamen and fishermen are inured to dangers and hardships; and their industry, courage

and enterprize, have, to a certain degree, overcome the difficulties which they have had to encounter: but the present unjust limits produce fearful results. "Rien ne peut tendre davantage," it is truly said in the committee's report, "à démoraliser ces hommes, employés à la pêche des huitres, que la position dans laquelle ils se sont trouvés depuis la convention provisoire. Il est difficile de leur persuader qu'il y ait délit à profiter des bienfaits de la Providence, à exploiter le fonds d'une mer, commune aux deux nations pour tout autre objet, afin de subvenir, à la sueur de leur front, aux besoins de leurs familles; surtout, quand ils savent qu'il y a, dans les lieux où ils étaient accoutumés de pêcher, des huitres en abondance pour tous ceux qui veulent se donner la peine de les retirer de l'eau." Urged by this feeling, and also by harassing vexations, some of the fishermen will boldly venture within the French limits, despite of the French king's cutters, which exercise a strict vigilance, and take many of the English fishing boats with their crews to Granville, detaining them for a time, the most precious to them, and thereby depriving their families of the expected means of subsistence. I will readily acknowledge that those who transgress the laws are deserving of punishment, but the British fishermen have often received unmerited severity from the French king's cutters, and some have occasionally been captured and taken into Granville, when not beyond their limits, and when, through stress of weather, they sought for shelter at the small island of Chausey. An injury received usually begets a desire of revenge or retaliation. This will sometimes induce some of the fishermen to transgress the limits,—for it is, besides, grating to a British sailor to be thus treated by the French,—and when the armed French vessels are out of sight, to dredge for oysters where they are most plentifully to be found, in order to repay themselves for the losses incurred by an unjust detention; and the French officers to capture and punish even the innocent for the guilty. A continual feeling of hostility is manifested, human blood has sometimes been spilt, and the captain of an English cutter was shot two years ago, by the French, even although he was not within their limits. Such feelings of animosity will exist, so long as the limits assigned are not more equitable.* For the two past years, the English and French Governments have more seriously taken up the subject; the States of Jersey sent deputies to London and Paris: but proceedings are slow, although our Government, I am well convinced, is desirous for an amelioration in the law; an English consul was appointed upwards of a year ago to reside at Granville, and he has shewn himself zealous to protect the English fishery.

The offer lately made by the British Government to that of the king of the French, through the English ambassador at Paris, was just and reasonable. It was "the appointment of a mixed commission to meet on the spot, and there take into consideration the complaints, representations, and interests of both sides, and, by a careful examination of the fishing ground, to determine if it be practicable to trace a line which shall be more satisfactory to the British fishermen, without being injurious to those of France." This plan combines whatever can reasonably be desired or demanded, and offers a fair prospect of settling the existing differences in an amicable and effectual manner, and with justice to both sides. But the French Government, instead of acquiescing with this request, make a counter proposal, bearing with it the semblance of conceding much, while it in fact offers the shell, but retains the kernel; for, desirous of appearing generous, they would have no objection to give up to the English fishermen an extensive tract,—but where there are very few oysters to be found. On this proposal by the French, I shall add an extract from the observations which the Jersey States

* I must add the following anecdote, from the characteristic feeling which was manifested. About three years ago, one of the British fishing boats was captured by the French king's cutter, whether justly or unjustly I do not recollect, but it is not essential to our purpose; the crew were sent below, and some of the French sailors, armed, had possession of the deck and vessel, with orders to take her to Granville. The English sailors below were much annoyed at their situation, and resolved on attempting the rescue of their own cutter. They did attempt—and they succeeded—and sending their late French masters in their stead below, sailed for Jersey and arrived there safely, with their prisoners.

made to Government : " If any regard be paid to the interests, nay, to the very existence, of the British fishery in these parts, that proposal, in the opinion of the States, cannot for a moment be entertained. There are no oysters whatever to be found in the space included between the boundary of three and six miles from shore to the northward of the proposed line, viz. a line traced east and west from the Clocher de Pirou—and there are but very few even within the three miles limit, on that part of the coast. If the proposal therefore were accepted, the English fishery would gain nothing, whilst the French would obtain what they have so long desired, a formal recognition of their pretended right to the whole of the most valuable fishing ground, to the distance of seven or eight miles from the shore, and moreover attain means, as they suppose, of excluding his Majesty's subjects from all participation in the oyster fishery,—an object which they have ever had in view, but which hitherto they have failed to effect altogether. But as far as British interests are concerned, there is no concession whatever to be found in the proposal of the French Government; and there is every reason to believe that the coercive measures demanded by the French Government against the British fishermen, when unaccompanied by proportionable advantages, would only render them more daring and more reckless, and lead to contests of a nature still more serious than those which had already taken place; so that, in the end, Government would be placed under the necessity either of insisting on a more equitable line of limits, or of compelling his Majesty's subjects to give up the fishery altogether."

The limits proposed by the Jersey States, it is perhaps needless for me to delineate; for, without a reference to the map, it would be impossible to understand the position or boundary, by the mere names of rocks and towers; and, to the general reader, it would furnish but a dry detail—an imputation which I am afraid will be deservedly cast upon the whole of this article. After explaining what they consider should be the limits, the States continue: " By the establishment of these limits the beds habitually used by the French fishermen would be protected to the distance of eight miles to the shore, in their most accessible part, and the French fishery of Cancalle entirely secured against aggression; and, as an equivalent, the British would obtain a joint right of fishing on two additional beds within the territorial limit of one league. And this further advantage would be gained, that the limits could be watched with greater facility by the naval force of both nations, and offenders more easily detected and punished. The States beg leave to recommend this as the most practicable provisional arrangement which can be entered into with any advantage to the British interests, and with any certainty of protection for the French preserves. It differs from the French proposal in bringing down the projected line a few miles to the southward, but, on the other hand, it concedes to them three miles more than they can legally claim to the westward, in the immediate vicinity of Granville and Chausey, where the French beds are situated. It is that infringes on the territorial limit of one league between St. Germain and Agon, where there are oysters to be found, but then, whatever preventive measures may be adopted, that portion of the fishery will always be open to aggression; and, as the French never use it, it will be of far greater advantage to allow the British to dredge there fairly, as it will further remove all temptation to violate the interdicted limits, and prevent differences which would inevitably again arise, from tracing a long extended line along shore, which can never be sufficiently ascertained by bearings or sea marks."

A commission of impartial men, appointed by both nations, to examine the fishery ground, and invested with full powers to determine the limits, would be the far better mode of adjusting the dispute, and regulating the boundaries upon an equitable principle: and this is, indeed, rendered imperiously necessary now to the English interests, for the British fishery is annually declining, and has much fallen off, especially during the two past years, as will appear by the following table of the export of oysters:

	Bushels.		Bushel.
1829.....	239,120	1833.....	330,840
1830.....	212,056	1834.....	305,670
1831.....	326,514	1835.....	149,865
1832.....	244,860	1836.....	

The reason why the export of oysters so declined during the two last years, was their higher price in Jersey during 1835, than at St. Valery and Dieppe, and than in Scotland and Wales during 1836. But their greater price in Jersey must be attributed to the greater expense in procuring them, which is principally owing to the difficulties experienced by reason of the existing convention.

From the observations of those well qualified to form an opinion on the subject, it was recommended to the States in 1831, by the Committee of the Piers and Harbours, to attempt the formation of new oyster beds in the immediate vicinity of the island; as, in some parts which were specified, there was a bottom well adapted for oysters. The advantages to be anticipated, should success crown the trial, were adduced by the committee. They tended to show that oysters could then be brought to market at a lower price; the fishermen would be less exposed to the dangers which they at present encounter along a coast studded with rocks; and during bad weather, they would find shelter in the harbour, instead of, as at present, being sometimes compelled to seek it on the roadstead of Chausey, where they are subjected to capture and detention by the French cruisers. These advantages, considerable in time of peace, would be incalculable during war; and the fishery, it was to be supposed, would also give occupation to a greater number of Jersey families. That recommendation was adopted by the States, who voted the necessary funds and appointed an inspector of the fisheries for three years. To him of course was confided the care of planting the new beds; a large sum was expended, and the undertaking now fully promises to prosper, for the spawn deposited has given birth to many oysters which are increasing and thriving.

The oyster fishery annually commences on the 1st of September, and ends on the 1st of June. This is the period assigned by law, but its activity is from February to May. It is then that the oysters are sent to England, for the heat of summer would destroy them. The small oysters are those principally sought for by the merchants, for, after being deposited in the Thames, in parks arranged for the purpose, they increase in size, and thus contribute to the advantage of the merchant. But, lest the oyster beds in Jersey should be drained and ruined, the States have affixed a fine on whomsoever should bring oysters to shore of a diameter less than two inches and a half.

The average price at which oysters are purchased from the fishermen may be stated at three shillings and sixpence per tub of three bushels: for some years it was only three shillings, in others four shillings per tub. When only at the former price, there has often been a strike among the fishermen for higher prices, and a determination that, till obtained, not one vessel of the fleet, whether English or Jersey, should leave the harbour, and an iron chain placed across the entrance to it, whereby no vessel could leave. This usually led to some understanding between the merchants and fishermen, but in the interval much valuable time was lost to both parties. After purchase, the oysters are laid on the parks belonging to, or appropriated by, the merchants, and soon afterwards shipped for London. Thus, in addition to the amount paid to the fishermen, is to be added the sum expended for labour, principally in reshipping, which is considerable.

Many of the boats employed in the fishery are from England, mostly from Kent. They arrive here in the beginning of the fishing season, and return home when it is over. It has been a question by some, whether it is not more advantageous to the island that English fishing boats with English crews should be employed at the fishery, rather than Jerseymen. The reasons upon which this opinion is grounded are, that the English crews will

spend more of their earnings at the shops at Gorey for various commodities, intended for personal use, and that their vessels would get a supply of many articles, such as cordage, from their greater cheapness here than in England, which, if they were not employed at the fishery, they would not assuredly purchase here. They, therefore, spend more money, thereby actuating more industry than the Jersey fisherman, who, when the fishery is over, retires to his own home, and husbands his savings. There is a great deal of this which is true, although the conclusion cannot be conceded, that, therefore, the employment of English boats is more beneficial to the island than of Jersey boats; for there is another view to be taken of the subject. I will grant that the English boats, with their crews, may require more commodities of a particular kind at Gorey than the Jersey boats, and that, as the former diminish in number and the latter increase, there may be at Gorey, a less demand for manufactured goods, for instance, as I have heard it complained of; but while I do not wish to contradict this statement, which is doubtless true, I may also assert that the Jersey crews must also provide themselves with many commodities in the island, and to a greater value too than the English fishermen expend here; for the boats must be built and equipped, the tackle must be purchased and prepared, some of the cordage is of Jersey manufacture, the sails must be made, and many labourers employed. A decrease in the number of English boats must be followed or preceded by an increase in that of Jersey boats, who do not undergo the expense of a voyage across the channel, before they reach the oyster ground; and if the Jersey fishermen do not purchase so much of any particular article at Gorey as the English, yet the whole of their earnings will, somewhere or other, be employed in the purchase of various commodities, for the supply of themselves and their families, and the sustaining of industry. The advantage may not, as in the former case perhaps, be almost exclusively devolving on one particular spot, but they will be at least equally beneficial by being diffused in richer abundance over a wider sphere. It is true that it would be impossible for one part to thrive to the exclusion in the participation in some degree of the surrounding country; but, the more general industry can be rendered, the more extensive the means of employment, and the greater facilities offered to families for ameliorating their condition, the greater will be the advantages to the community both in a moral, political, and politico-economical view. Let me not be supposed to wish for the exclusion of the English fishermen from the oyster grounds: I feel convinced that their exclusion would be pregnant with evil; it might end in the final ruin of the fishery, for there would not be the same competition; the spirit of enterprise might slacken, and, from these causes, and a consequent increase of expense in the supply, the demand might diminish; and it must not be forgotten that the fishery has attained a far greater degree of prosperity since the English fishing boats have come to the grounds, than when the fishery was exclusively Jersey. It is to ensure a greater abundance and the greater cheapness of oysters that I desire the repeal of the "provisional convention;" which, by tending to keep the prices high, lessens the demand, and transfers it to those places, where the greater cheapness ensures a comparative greatness of demand. Cheapness of production, it should be remembered as a general truth, conduces essentially to the wealth of society, both by the difference in the cost, and by the facilities for increased consumption which it affords; and industry declines in those spots, where improvements, which facilitate production, do not keep pace with those which competition effects in more distant places.

During the oyster fishery, Gorey,—the neighbourhood of Mount Orgueil Castle—offers a busy and enlivening scene. At times the harbour is crowded with shipping, like bees in a populous hive; at others, a fleet of two or three hundred sail may be seen, borne on the waves along, and appearing

As happy as the wave
That dances on the sea.

I have sometimes thus beheld them from the lonely castle of Mount Orgueil,

from which an expansive view is obtained of the sea below, gaily returning to the harbour like a family to their home in the cheerful season of harvest, affording more delight than is felt at a regatta, and creating a pleasurable interest, as they one after the other enter their sought-for haven. At other times, a different, though an equally busy, scene presents itself, at the loading of a vessel from the parks on which the purchased oysters have been deposited. The vessel must be loaded during a tide, and sail for England without delay; an oyster cannot live long, when pressed down by a superjacent weight. There is then a scene of activity and orderly bustle; men and women are employed, probably one hundred in number, in gathering up the oysters into baskets, carrying them to the vessel at hand, and filling up the hold of the cutter. Health and cheerfulness go hand in hand, and bless the labours of industry.

In addition to the export of oysters, I may also notice the annual export of lobsters for London. That metropolis is as a great whirlpool, which draws towards it and swallows up the choicest products of the kingdom; like the plains in which the river Guadiana is engulfed. The export of lobsters was :

In 1829.....	170 dozen.
1830.....	360 "
1831.....	"
1832.....	260 "
1835.....	1470 "

This requires no comment, and my present article has reached its termination.

(To be continued.)

L. Q.

ABOLITION OF SMUGGLING IN THE CHANNEL ISLANDS.

(Concluded from page 118.)

IN reply to the letter of Daniel De Lisle Brock, Esq., Thomas Pipon, E. sq. the lieutenant-bailiff of Jersey, sent the following answer :

"St. Hellier's, Jersey, 12th September, 1800.—Sir, I yesterday laid before the Court the letter of Commissioner Stiles, with the substance of the intended regulations for the purpose of establishing custom-houses in these islands. I also communicated to them the letter you were so obliging as to bring me from the Bailiff of Guernsey. The Court thought it necessary, in a case of this importance, in which the commercial interests, and indeed the welfare of the islands, are so greatly concerned, to refer the matter to the consideration of the assembly of the States, whom I have in consequence summoned to meet on Monday next. I beg to express the thanks of the Court, as well as my own, for the assistance we derive from the very able and judicious observations you have favoured us with. The forcible and impressive arguments you use, will, we flatter ourselves, have the influence they deserve on the minds of His Majesty's ministers. Yours, &c., Thomas Pipon, Lieutenant-Bailiff."

The next document on this subject which we are enabled to lay before our readers, is the official answer of the Royal Court of Guernsey to Commissioner Stiles, dated the 27th of September, 1800 :

"Sir,—Having laid before the Royal Court the letter which you have been pleased to address to me on the 25th of August, and also the outlines of additional regulations to those contained in His Majesty's Order in Council of the 13th of February, 1767, which the Lords Commissioners of His Majesty's Treasury feel the necessity to recommend to His Majesty in Council for taking some measures, which their Lordships have in contemplation, with a view to prevent the smuggling which is carried on from these islands to England, to the prejudice of His Majesty's revenue and of the fair trader,—I have been authorized to sign this the Royal Court's an-

swer, and I beg leave to request that you will do us the honour to submit to the most honourable the Lords of His Majesty's Treasury our candid and unfeigned sentiments, as well respecting this pernicious practice, as the proposed regulations.

"As to smuggling, we should think ourselves unworthy of our station, as magistrates, to countenance or encourage it in any manner whatever, and we would readily concur in any measure or regulation to put a stop to it from this island, had it not been evinced by facts upon trial that the suppression of it here was shifting it to the enemy. But if, nevertheless, it were found expedient, we make no doubt but the ends of Government herein might be effected, (if thought proper to approve of it,) by the authority of the Royal Court, without enforcing those destructive restraints on the commerce of this island which, we humbly conceive, the proposed regulations seem with, and tend ultimately to ruin many industrious families, compel them to abandon their native soil, and seek the means of subsistence in a foreign land.

"We, therefore, humbly beg leave to submit our doubts as to the expediency and efficiency of shutting up the port of this island to smugglers, or of any regulations to that effect, at least in times of peace. We can now speak from facts. One of the magistrates having been deputed by the States of this island on this subject, after humbly representing to Lord North, the then minister, his apprehensions that the shutting up of this port against smugglers would but cause the opening of several in France, his Lordship answered, 'We have no authority in the ports of France, but we have in your islands, and therefore we must make the trial.'

"In consequence, the order of the 13th February, 1767, was, by the subsequent ones of the 9th October, 1767, the 16th December, 1768, and 13th March, 1769, for a time enforced, but what had been foreseen, was very soon evinced.

"The French Government was no sooner apprized of the measure, than it opened several of its ports to the smugglers, and made those ports free to the smugglers; among these was the port of Roscoff, to which several English, Scotch, Irish, and Guernsey merchants resorted, and their several dwelling houses and warehouses, receiving every incitement from the French minister, who not only declared it a free port, but allowed rum and Spanish brandies (notwithstanding the rivalry with theirs) to be deposited there by entrepot for sale to the smugglers; and, in proof whereof, we shall beg leave to refer to a publication in the year 1771, now delivered to you, in which, at the appendix, are two edicts of the king of France, No. 1, dated the 14th March, 1768,* and No. 2, dated the 3d September, 1769, the last issued in consequence of a letter written by the Intendant of the generality of Brest to the Intendant of finances at Paris, and whose answer is inserted at page 31, all of them evincing the importance the French Government attached to drawing the smugglers to that port; and also, afterwards, to that of Fécamp fronting the Sussex coast, and of the measures taken to that end in consequence of the above-mentioned Orders in Council. We shall not repeat here what is inserted in the publication referred to, at page 83, and the subsequent pages, with respect to the fitness, or rather unfitness, of any measure to shut the port of this island to smugglers, further than to observe the importance to which the measure raised the port of Roscoff,—the advantage that resulted therefrom to the produce of the French West India Islands, and the encouragement it gave to their Newfoundland fisheries, and thence to the raising of seamen for their fleet, besides increasing the population of the province, and drawing from England some thousands of guineas, which were carried to Paris, as asserted at page 89 of the pamphlet already quoted; whereas, when brought to this island, they were, and are at all times, returned to England, and in proof of which we can adduce, that one of our Southampton traders, which had twelve hundred guineas concealed on board,

* The official documents of the French Government here alluded to, and the whole of these proceedings, will be found at page 363 et seq: of our first volume, to which the reader is referred for much interesting information.

being taken in a former war by the French, this vessel being purchased after the peace by our merchants, the whole were found on board, and returned to whom they belonged; and, if we are rightly informed, the port of Flushing receives at this very time nine to ten thousand guineas per week from the smugglers who resort thither.

"We flatter ourselves that these considerations respecting the inexpediency of shifting this trade, illicit as it is, from this island to our natural enemies, will engage Government maturely to consider the consequences; for waiving for a moment the solemnity and sacredness of our charters, it may be proved that, from such measures, they have been enabled to fit out privateers against our trade; whereas, on the contrary, every acquisition of wealth to these islands is in war launched out in privateers, and with such success in the American war, that the captures of French and American vessels by the privateers of these islands amounted to above *one million and a half sterling*; and Mr. Burke is reported to have said in Parliament, that he could almost call these islands naval powers; and both islands have in the present war shown the same spirit, and taken several privateers and rich prizes.

"But if, contrary to our humble expectations, Government should over-rule these considerations, as to the inexpediency of such measures and regulations, and also our native and chartered rights, we dutifully hope it will have the goodness to indulge us in some compensation in trade by leaving to these islands a full right of remaining ports of deposit and entrepot, and receive favourably such suggestions as we may hereafter offer to its wisdom and discretion for improving the same. We indeed most humbly hope for this boon from the liberality and justice of Government, in case the shutting this port is adopted, although in its consequences so ruinous to this island, and beneficial, as has been experienced, to the enemy. To authorize our hopes of some compensation, we beg leave to cite the precedents of the justice and tenderness of Parliament in similar cases, viz. the Redemption of the Rights of the Isle of Man, and the composition of the heritable jurisdiction in Scotland.

"Those rights could indeed be compensated with money, as they were vested in individuals, but the rights of these islands, both native and chartered, are vested in the people of these islands and their descendants for ever, and this, as the reward of their attachment to their first sovereigns the Dukes of Normandy, and their loyalty to them as sovereigns of England to this day. We, therefore, humbly hope that the measures of Government will be such as to secure to us and our posterity the enjoyment of the means of living, so emphatically conveyed and expressed in our charters, in the sense of the following protecting passage: 'The merchants of all nations may frequent these islands and maritime places with their ships and merchandize, as well as to avoid storms, and there to conclude their lawful business, come to, resort to, go to and fro, and frequent the same, and there exercise their free trade and traffic, which privilege is granted from the following motives; as by the aid and benefit of which grant, the islands and maritime places aforesaid have stood out loyally, and continued unblameably, as well in our own, as in our progenitors' service.'

"This grant indeed was so solemnly conveyed, that the charter of Henry the Sixth concludes thus: *De assensu dominorum spiritualium et temporalium in parlamento nostro apud Westmons anno regni nostri primo*; and also that of Queen Elizabeth: *Per ipsam reginam, et de datâ prædictâ, auctoritate parlamenti*.

"We are led to remark, that such redemption and compensation for the Isle of Man and Scotland, had also for object the revenue, but we humbly conceive it may be evinced from experience, and from what precedes, that the proposed regulations may not have that effect, and, in aid of the above-mentioned proofs, we shall further beg leave to observe, that the spirits which are brought here and sold to the smugglers, are all low Hollands proof; and we beg leave to remark, that of the quantity that has been

brought here since the war, it is not true that many thousands of pipes have been, and daily are, shipped hence for the port of London, or sold for the use of His Majesty's navy.

"And here we beg leave to ask the question, whether the revenue can be supposed to be prejudiced equal to the duties of the spirits that may be smuggled? How far that may be the case with the spirits smuggled from Flushing and Dunkirk, may be doubtful in some degree, as the coasts where the smugglers land are too near to the metropolis; but if we are rightly informed, what is smuggled from this island, or Roscoff, is generally sent to Cornwall and Devonshire, and mostly disposed of to some thousands of miners of those counties, who mostly live under ground, to whom spirits are very beneficial, but who, nevertheless, could not afford to pay for entered spirits.

"In this island, the Governor and Magistrates have been particularly attentive to prevent smuggling vessels being armed, which has not been, and certainly would not be, attended to at Roscoff, or any other French port; nevertheless, it must be granted that in few instances some have been wicked enough clandestinely to carry muskets, and use them against His Majesty's custom-house cruisers, and with them to have wounded or killed some of the crews; but, on an information given here that the perpetrators of such enormities had sheltered themselves in this island, the Magistrates have been diligent in securing and delivering them up to proper officers that they might be sent to, and tried in England, which would not have been done in France; and we cannot omit observing that, if our charters down from King John to Charles the Second (which latter is the last of our charters) were granted, as therein expressed, to our ancestors for having stood out loyally, and continued unblameably as well to those sovereigns as to their progenitors, neither we, nor our forefathers, have ever shrunk from the same loyalty to the crown of England. This devotion was so sincerely manifested in the reign of William and Mary, that the inhabitants, overlooking all advantages derived from the neutrality which they enjoyed by virtue of their charters sanctioned by several Bulls of the Pope, &c., in that war launched out privateers against the enemy, and ever since followed the same loyal course, deeming their loyalty pledged to the English crown; and from such principles our militia have, on all occasions of alarm, shown its alertness and readiness to march against the enemy; and, at this time, our youths are, by the recommendation of our worthy governor, Sir Hugh Dalrymple, trained up to the use of arms at the age of fourteen, instead of sixteen, which formerly was the age fixed, and although the island has not, within our time, been attacked, so as to give occasion to the inhabitants and the militia to display their loyalty and valour, yet they have given proofs of both in their privateers; and had this island been attacked, as our sister island of Jersey has been twice in our time, and defended with so much honour to their militia, we trust that ours would have displayed the same prowess and loyalty.

"We are indeed so much the more encouraged humbly to submit these considerations to the Right Honorable the Lords of the Treasury, and ultimately to His Majesty and the Lords of the Most Honorable Privy Council, in as much as the great Lord Chatham, and the public voice, were loud in justifying the Americans in their humble petitions to be preserved in their chartered rights and privileges, which is proved by his Lordship's distinguished speeches in parliament, and the addresses presented to him, as well from the city of London, as from all the principal cities and towns in Great Britain and Ireland.

"We shall beg to conclude this with one remark more that, at the hearing before the Most Honorable Privy Council on the 18th of February, 1767, our charters, by some unaccountable oversight, were not produced, but being received on passing the order of the 16th December, 1768, and 18th of March, 1769, notwithstanding that their Lordships enjoin the observance of that of the 13th February, 1767, yet that of the 16th of December, 1768, has this

provision, 'as far as the same are consistent with the constitution of the said islands, and the provisions of any act of Parliament which relates to them,'—a constitution, we may observe, fenced as well by the sanction of Parliament, as by the oaths of Governors, Lieutenant-Governors, and Magistrates, who, before they are admitted to exercise the least function in their respective offices, are sworn to keep the same, and the inhabitants in their rights and privileges, customs and ancient usages of right practised in this isle. We then, Sir, request you will do us the honour to submit this to the Right Honorable the Lords of the Treasury, and also inform their Lordships that, as matter of right, we shall offer the whole of the proposed regulations to the consideration of the States of this island for their opinion therein, begging you will please to convey to their Lordships our very respectful and grateful acknowledgments of their Lordships' great kindness in the manner they have had the goodness to convey their views herein, as well as for their Lordships' choice of a gentleman of your candour and liberal sentiments to signify the same to us. I have the honor to be, with great respect and esteem, your humble servant, William Le Marchant, Bailiff and Chief Magistrate. Guernsey, 27th September, 1800."

On the 15th of September, 1800, the States of Jersey were assembled, and adopted the following resolutions:

"The States have been this day convened in consequence of the receipt of a letter by the president of this assembly, from William Stiles, Esq., one of the commissioners of the English customs, in which he communicates the intention of Government to establish a custom-house in this island, as well as in Guernsey, accompanying his letter with a document entitled, 'Substance of the regulations proposed to be added to His Majesty's Order in Council of the 13th of February, 1767, for the more effectual prevention of the illicit trade from the island of Guernsey.' The president informs the States that the said letter, with the regulations thus proposed, have been communicated by him to the Royal Court, who, after having conferred together, found the subject of so serious a nature, that they deemed it indispensable to submit the whole without delay to the States, as an object of the deepest importance, and interesting to the States generally. After the reading of the said letter, and of the proposed regulations, as well as of a petition on the same subject from the merchants of the island, and other documents which relate to it, it appears that the principal object of the Government was to suppress certain frauds committed in some of the neighbouring islands, which had greatly prejudiced the revenues of His Majesty. It appears also that the most honourable testimony is borne to the conduct of the inhabitants of this island, who are exonerated from all participation in this illicit traffic. The States presume to hope that, after having heard their humble representations, Government will not deem it necessary to extend the regulations to this island; more especially as they militate directly against the privileges and franchises which their gracious sovereign and his royal predecessors have formerly granted as the reward of their unshaken fidelity; and, moreover, because the introduction of the said regulations would inflict considerable injury on the lawful and profitable trade which the people of Jersey have, for a long period, carried on. Persuaded that Government do not intend to harass the inhabitants of this island by restrictions which no acts have rendered necessary, the States flatter themselves that their statements will meet with a favourable reception at the foot of the throne,—that their past conduct, and their loyalty and attachment to the best of princes and the happiest of constitutions, will be accepted as the best guarantees of their future conduct. If the evil complained of existed in this island, the States would hasten to apply a remedy with the same zeal with which they have always been animated for the good of His Majesty's service. Impressed with these sentiments, which are also those of the merchants of the island, and looking at the precautionary measures which the States are resolved to adopt against every species of fraud, they can give assurances morally certain that no illicit trade shall be carried on in this island to the

prejudice of the king's revenue, neither by the natives, nor by others who may establish themselves here. Moreover, the States, desiring to proceed in this affair with all the deliberation and circumspection possible, have thought proper to entrust to a committee the task of reflecting more minutely on this subject,—to examine the ancient charters, and to weigh well the consequences that might result from the introduction of the proposed regulations,—to draw up a humble representation either to His Majesty in Council, or to the Lords of the Treasury,—to confer on the whole matter with William Stiles, Esq.,—and to consider the best means of reconciling the views of Government with the conservation of the laws, franchises, and privileges of this island. For which purpose the States have named and authorized Philip Robin, James Hemery, and Francis Le Couteur, Esqrs., the Revds. E. Dupré and Francis Ricard, and John Dolbell, James Remon, and John Dumaresq, Esq., constables, the king's officers being required to assist the said constables with their advice. (Signed,) Jean De Veulle, greffier."

The next official document contains answers to certain interrogatories put by Mr. Commissioner Stiles to the Guernsey authorities.

"Guernsey, 15th December, 1800.—Sir, the Bailiff having laid before the Royal Court your letter to him of the 31st of October, and the list of queries contained therein, it has authorized us, the undersigned, to make the necessary inquiries, and we have now the honour to transmit to you the answer after the most mature investigation of each, and which we flatter ourselves will prove satisfactory.

"*First Question.* What is supposed to be the number of inhabitants of this island, exclusive of strangers?

"*Answer.* Upon an exact census, the number in each is found to be:

St. Peter-Port.....	8,450	Vale.....	842
Catel.....	1,453	St. Andrew.....	675
St. Martin.....	1,132	St. Sampson.....	652
St. Pierre-du-Bois.....	1,130	Forest.....	552
St. Sauveur.....	933	Torteval.....	336

Total 16,158, exclusive of sailors in His Majesty's service, privateers, and merchant vessels; also of strangers not permanently settled, who may amount to *two or three thousand*.

"*Second Question.* What number does the militia consist of, and at what age are they required to bear arms, and what duty do they perform?

"*Answer.* The militia consists, according to the last estimate, of 3,158 men, and 455 lads from fourteen to sixteen years of age, which is the age at which they begin to be trained; and the duty performed by the militia is to keep watch at different posts round the island, and to be ready to attend with their arms and accoutrements at any rendezvous assigned to them by the commander-in-chief and their officers, to be disciplined and reviewed—and on any signal of alarm.

"*Third Question.* What foreign trade is in general carried on to, and from, the island, and how has the war affected it?

"*Answer.* The foreign trade carried on by the inhabitants is in the importation of wines, brandy, and fruits, from France, Spain, Portugal, Madeira, and Italy,—rum from the West Indies,—tobacco and grain from America,—and fish from Newfoundland. The exportation is in such brandies and wines to America, to Quebec, and to the West Indies,—and large quantities of these liquors are intended to be exported to Great Britain and Ireland,—the tobacco to Hamburg, Embden, and the Baltic, exclusive of what is sold to smugglers. We subjoin the exact particulars of such trade. Many brandies are exported to Madeira and America. At the first place, they are bartered for wines which are carried to, and again bartered in the West India islands for rum and other produce, which is sometimes carried to Quebec in exchange for provisions to be carried to Newfoundland, and there bartered for fish, which is shipped to Portugal and the Mediterranean,

whither we also export cargoes of pilchards from Cornwall, for account of the inhabitants who have large concerns in that fishery; and the brandies carried to America are bartered for corn, rice, and staves, and brought hither. Several assorted cargoes, and especially prize wines, are annually exported direct to those West India islands, where they have entry, and some to those islands which only admit those goods from England, where they are accordingly first landed, and also to Quebec, and there they are bartered for wheat and flour which are imported into this island, or for provisions which are carried to Newfoundland, and there bartered for fish for the abovenamed markets, or these islands.

"But a great part of our trade consists in the deposit of goods brought hither, to be regularly reimported into Great Britain and Ireland, from France, Spain, and Portugal,—this occupies our warehouses built at great expense, and gives bread to coopers and labourers, and freight to many of our own, and British vessels in the legal transportation of such goods to all parts of the United Kingdom, and the freights paid here for their goods are a source of considerable circulation and benefit in the island, as it is calculated that above one quarter part of the amount of such freight is paid in the island in the wages to the crews, and in provisions, repairs, and necessaries to the vessels, and otherwise laid out here in the purchase of different articles in our ships, most of which are of British manufacture. We also beg leave to observe, that many of the tobaccos brought here are purchased by such masters of neutral ships, as adventures, when bound to their own country, besides what is brought here by the crews. And in the year before the war, the quantity of manufactured tobacco brought hither by the French amounted to above *One Hundred and Fifty Thousand Pounds Sterling*, which they smuggled back into Normandy and Brittany. In this manufacture, many indigent boys and girls are employed.

"The whole of this deposit trade facilitates the operations of the fair trader in the United Kingdom, as the merchants order their goods by parcels, as they want them, and for such ports as may be most advantageous. But Hamburg has, during the whole year, carried away about one half of the deposit trade of brandies designed to be reimported into Great Britain, and which might be limited to this island instead of throwing the profit to foreigners, and indeed to the advantage of the mother country, as it would keep considerable sums at home, favour the rate of exchange with the continent, and not leave British property exposed to the chance of events, and of its sequestration and confiscation in foreign ports. The quantity of goods, however, exported from this island must, in a great measure, be known to you, and it must be very considerable, as the three undersigned have alone shipped, since the 1st of October, 3,325 pipes and 982 hogsheads of brandy and wine, and the war has generally increased the several branches of trade.

"*Fourth and fifth Questions.* What number of privateers have been fitted out this war, and what is the number at present? What number of persons have been generally employed in such privateers?

"*Answer.* There have been thirty-five fitted out this war, carrying 250 guns, and 1,716 men, and there are at present twelve privateers carrying 148 guns and 670 men, but had the salvage been one half, there would have been double that number, for the French having had little or no trade this war, the only encouragement has been the chance of reprisals, and of prizes from the Spaniards; and the value of our captures, which last war exceeded *Nine Hundred Thousand Pounds*, has not been probably much less this war, without however enriching the inhabitants in the same proportion, because a great part of the value consists in reprisals (recaptures) and the expense of privateers is more considerable. We have also, since your departure, been particularly indebted to our privateers for sending in three prizes with five hundred tons of Spanish wheat, which has preserved us, we really believe, from a state of scarcity, which, without that supply, would have bordered upon famine.

Sixth Question. What manufactures are carried on in the island?

Answer. The knitting of stockings, waistcoats, &c., for which 2,000 tons of wool are allowed to be exported from England; and some English persons have lately erected a glass house, intended chiefly for the blowing of bottles, and where the fire is also applied to the making of salt. Another manufactory for salt has been set up and substituted for our ancient salt pans, since which, other ancient and very extensive salt pans have been converted into arable fields, and been sown this year, for the first time, with corn. There are also several manufactures of tobacco for the consumption of the island, and also sold to the masters and crews of neutral vessels, as well as to the smugglers.

"We cannot conclude without observing that, if ten to twelve thousand guineas are every week carried by smugglers to the continent, of which there is no doubt, it is so far from being the case here, that money is, and has been, so scarce for a long time, that Government has paid a premium of $\frac{1}{4}$ and $\frac{3}{4}$ per cent. for cash to pay the garrison. The merchants and tradesmen do the same. (Signed,) Robert Porret Le Marchant, Bailiff, Daniel De Lisle Brock, William Le Marchant."

NOTES OF THE MONTH.

GUERNSEY.

Royal Court.—The Court decided, on the petition of Mr. John Cochrane, that Augustus Goupil, who hid the highest sum as farmer of the King's Weight, was ineligible to hold the office, he being an alien foreigner, and not a subject of the king of Great Britain and Ireland. This establishes a principle which we hope may never again be attempted to be infringed.—On the application of the widow of the late Lord De Sarracens, permission was given to her ladyship to have temporary possession of the full length portrait of the deceased admiral, which has been for some years one of the chief ornaments of the Court House, with the view of taking it to London, to have a copy painted, and engravings executed.—Louis D'Orleans, a Frenchman, was sentenced to one hour's exposure in the cage, and six years banishment, for pretending to cure steady blockheads who fancied themselves bewitched.—In a case of bigamy, the Court pronounced a judgment, so contrary to the principles of English law, that it merits being recorded. A Mr. Tyler married a Miss Peddle, having some wife, whose maiden name was Kingsbury, alive, but it was clearly proved that Miss Peddle had no knowledge whatever of the former marriage. Tyler died, leaving Peddle in possession of two houses in Guernsey, by virtue of the contract of purchase, which was made in the joint names of Tyler and Peddle. An action of ejectment was entered, after the death of Tyler, by the first wife and her son, to dispossess Peddle. The Court ruled that Kingsbury, the first wife, should enjoy during her life time, as dower, one third of the property,—and that Peddle should enjoy during her life time the remaining two-thirds, and in case of the decease of Hannah Kingsbury before her, that then she should enjoy the whole—and as it appeared that there were sums registered against the property, it was ruled that the son of the first marriage might bring an action against Peddle, styling herself universal legatee of the said Tyler, to oblige her to annul the said registers out of the produce of the personal estate. As a matter of humanity and compassion, we are not disposed to quarrel with the verdict, but the sentence is clearly against law, and we trust it may not form a precedent fatal to the first principles of jurisprudence. We admit that Peddle knew nothing of the first marriage, and fully exonerate her from being in any degree

particeps criminis; but we contend that she has no conjugal rights, and never had any; for the matrimonial contract she had formed, was void *ab initio*, her husband not being in a condition to marry. The law of dower gives Kingsbury her third on the property during the term of her natural life, and the law of heritable descent as clearly vests the remainder in her son, the issue of her marriage with Tyler, who is wrongfully deprived of his succession. This verdict we consider one of *feeling*, not one of law, the feeling being all in favour of Peddle, but none being shown to the son.

Chamber of Commerce.—The following is a copy of the annual report, which was read by Mr. Nafel, the secretary:

REPORT.

"The committee of the chamber of commerce, in again meeting the subscribers of this institution, in order to lay before them their proceedings during the past year, have the pleasure of announcing a small addition to their numbers, although they continue to regret that an institution of this nature is not better supported, as several gentlemen engaged in commercial pursuits, and others, who ought to assist in such measures as may tend to their country's welfare, still keep aloof from joining it. It is not for your committee to question their motives though the result cannot but be lamented, especially when contrasted with the public mercantile feeling in the sister island of Jersey. The apathy observed in this island, perhaps, may be attributable only to the want of duly considering the beneficial effects arising from such an establishment, which are rapidly extending all over the commercial world.

"The treasurer's accounts have been audited, and a balance of £110 1s. 2d. appears in favour of the chamber, receiving interest at 3 per cent. per annum.

"The seizure made by our custom house, of nine packages landed from the *Ariadne*, from Southampton, called for the interference of your committee, who sent a memorial to the Lords of his Majesty's treasury, praying that all goods should be permitted to be discharged from the Southampton steamers into a lighter, and afterwards regularly cleared by the agent, in lieu of the master. Although the extent of our prayer was not granted, still, their lordships were pleased to authorize the principal officer in this

island to receive the reports of the said masters, as well as owners, between the hours of six in the morning, and eight in the evening, during the summer months.

"On the 31st August, your committee forwarded, through our respected Lieut.-governor, Major-General Ross, a memorial to the Lords of his Majesty's privy council, praying that the produce of our East and West India possessions, regularly imported into this island, should be allowed to be exported from hence to the United Kingdom, for home consumption, to which, however, their lordships were not pleased to assent.

"A deputation from your committee having waited on the president of the States, on the subject of the amelioration of the harbour, a meeting of that body was convened, at which it was decided that Mr. Walker, an eminent engineer, should be requested to form a plan and estimate; that gentleman came over in September last, but has not yet forwarded his report.

"It is in contemplation to have placed on each pier head, a capstan to warp vessels in and out of the harbour, a plan and estimate of which have been submitted. A sub-committee has been named to call on the supervisor to devise the means of raising the cost, and the manner in which it is to be repaid. Circumstances connected with the state of the public health, have hitherto prevented that interview, but the matter will be forwarded as soon as possible.

"Your committee has been much occupied on the subject of a Seaman's Relief Fund. You will no doubt bear in mind, that at the end of 1834, the contribution of sixpence per month by seamen, towards Greenwich Hospital ceased, and that in lieu thereof, another tax was laid for a new fund in London; with the proviso that local societies might be formed in the out-ports,—and that, vessels belonging to such out-ports, who had no local society, should pay to the London fund. Your committee did not approve of the principle of this enactment, considering it unequal; but, as it was understood that our vessels should pay in England, and indeed, that several had been made to pay there, the committee conceived that it would be infinitely more to the advantage of our seamen, to contribute to a local fund from which they could directly derive benefit, than to one from which many difficulties might obstruct their receiving it. In consequence whereof rules and regulations were framed, submitted to a general meeting and adopted, and which the committee transmitted to the bailiff, with an application to his Majesty's council for their confirmation, requesting him to forward the same. Previously to doing so, the bailiff submitted the whole to the Royal Court, who, it appears, started several objections, the nature of which have not been officially made known to your committee, who fruitlessly requested a conference with the Court on the subject. This, although not directly declined, was so long delayed that your committee resolved to withdraw the papers, and to postpone the application to council; to which they were the more induced, because while the papers were detained in the court, it was ascertained that not only our vessels were not liable to pay in England under the act, but that the money which had been levied upon some of them was ordered to be returned, and was received by the owners accordingly. A general meeting of the masters, seamen and others is convened, to be held this morning, in this room, when the subject will be laid before them and decided upon.

"It being expected that, last autumn, our highly worthy and respected Lieutenant-governor, Major-General Ross, would be relieved from his command in this island, your committee, grateful for his zeal and readiness to forward and support our commercial interests, passed an unanimous vote of thanks to his ex-

cellency, who was pleased to accept the same, and to return such an answer as cannot fail to add to the feelings of esteem and regard, which all classes entertain for his excellency."

The address to Major-General Ross, governor of Guernsey, as recommended in the report, was unanimously adopted, as well as the report itself in full, on the suggestion of John Harvey, Esq. According to the rule that one-third of the members of the committee should retire, Messrs. Symes, Davey, and Francis De Patrou, were succeeded by Messrs. Bonamy, John Jones, and Albert Carey. Frederick Price, Jun., Esq., was included in this rotation, but the efficiency of his services induced the meeting to re-elect him to the office of chairman, which he so ably fills. It was proposed to establish a Benefit Fund for the relief of native seamen, the seaman paying towards it sixpence per month as subscription; but there was so much apathy displayed, that the subject was postponed for future consideration. We are sorry for this indifference, as it argues a low tone of moral feeling; for indigent sailors must now be relieved as *paupers*, whereas, if the plan were carried into effect, they could claim assistance as a *right*, as much so as a landlord, his rent. However, we hope for better things after the public have maturely reflected on the matter. A desultory conversation ensued as to the policy of examining the Guernsey oyster bank, and the establishment of a mutual insurance society for coasting vessels; but these led to no result.

Parochial Meetings.—The following taxes were voted for the necessities of the town parish, which may be required during the current year. To the account of the constables, £1,600. To the account of the Hospital, £1,600. To the account of the churchwardens, £300. Messrs. Hamilton and Randell, as dissenters, protested against paying any proportion of the tax of £300 required for lighting the church. Mr. Randell placed his argument on the most liberal and impenetrable basis. He observed, that the majority of the pews were private property, and that even members of the Established Church had no right to occupy them; and therefore he argued that the tax ought to fall on the proprietors of such pews, and not on the public generally. He observed, that the lights used at evening service in the country parishes, as well as in St. James's Church, Trinity Chapel, and Bethel Chapel, were paid for by the congregation, and not by a parochial assessment. Though a dissenter, Mr. Randell most honourably declared his willingness to contribute his proportion towards the expense of lighting the church, provided it were made *wholly accessible to the public*. Some remarks were also made that the Bishop had extended the period of canonical hours, from which it was meant to show that evening service is now part of the worship of the Established Church, the old canonical hours being from ten till four; on which we beg leave to observe, that if this be the case, the extension should be universal, and include marriages; for every one knows that he must still pay more for being married at one hour than another. No person attempted to refute Mr. Randell's argument; but the tax was voted, because such levies of money had been sanctioned by the wisdom of our ancestors: at least we take that to be the ground of the decision, for not a syllable was said in its justification, excepting that such things had been, and therefore, (what a logical sequitur!) such things must continue to be.

Official Appointments and Promotions.—Captain O'Hara Baynes, acting commandant and governor of the island of Alderney, has received the rank of major by brevet.—The Rev. Henry Benwell was elected chaplain, and Mr. Frederick Le Mesurier, surgeon, of the Town Hospital, for the ensuing year.

Miscellaneous.—Mr. Davies has just issued the

catalogue of his Musical Circulating Library, containing 156 pages of type, and crowded with the most select pieces of vocal and instrumental music.—The brig *Caledonia*, of this island, was totally wrecked at Locata, on the coast of Sicily, during a most tremendous gale on the 23d of last December. The son and nephew of the owner, Mr. Mauger, of the Foulton, a seaman and a boy, perished. Five of the crew reached the shore by swimming, but one of the number, P. Paul, did so on the following morning.

Address of the States of Alderney to his Excellency Major-General Ross, on his approaching resignation of the command in this Bailiwick.

"To His Excellency Major-General Ross, Lieutenant-governor of Guernsey and Alderney.

"The humble address of the States of the island of Alderney.

"We, the undersigned, the acting Lieutenant-governor, the judge, the jurats, the King's officers and douzainiers in the States assembled, cannot permit your excellency to leave this command, without expressing our high respect and esteem for your excellency's person.

JERSEY.

The most interesting event that has occurred in Jersey, since our last number was published, is the triumph of the Liberals over the Obstructives in the affair of electoral qualification. The States of Jersey consist of thirty-six individuals: the members are the twelve rectors of the twelve parishes; the twelve jurats, or magistrates, and the twelve constables. The clerical section are beyond any popular control, for they hold their authority by "divine right," or, we might more truly say, by the sufferance of a deluded public, to whom they are irresponsible. The magistrates being appointed to the judicial office for life, and having a right to sit in the States by virtue of their privileges as jurats, are equally independent of the people. Thus, two thirds of the States are essentially aristocratic. The twelve constables are elective, and they alone confer a representative character on the States. It might have been supposed that this mock constitution would have suited the Jersey exclusives: but no: they desired still more keenly to insult the public, and fetter their liberties, and this end they endeavoured to compass by diminishing the number of electors, attempting to raise the property qualification to £150, where it was only £40, or, in other words, to treble its amount. Be it further recorded, to their eternal disgrace, that they sent up an answer to his Majesty in Council, falsely and perfidiously leading their lordships to believe, that it was the answer of the States, though it had never received their sanction. Nor is this the only treachery of which they have been convicted: they pretended that the inhabitants themselves were opposed to the continuance of the lower enactment, and were so anxious to disfranchise as many of the parishioners as possible, that they eagerly desired the electoral qualification to be trebled. To give a colour to this base falsehood, they declared that the patriotic constable Perrot was only supported in his opposition by twenty persons; but when he appeared before their lordships, he produced a petition with four thousand signatures, giving the lie direct to the unprincipled fiction. They now stand convicted, by the decision of the lords of the council, of a base attempt at trickery and misrepresentation, and no man, who has the least regard to honesty or honour, can any longer hang on the skirts of this worthless and condemned party.

We decidedly object to the system common to Guernsey and Jersey of electing douzainiers and members of the States for a term of life: one third, or one fourth, ought to retire from office annually, though we would vest in the constituency a right of re-electing such as were approved

"The urbanity and condescension shown by your excellency, to all those who have had occasion to communicate with you during your wise and successful administration of these islands, and the readiness shown at all times to forward the views of the insular authorities, will for a long time to come be remembered with their deserved admiration and gratitude.

"The active part your excellency so readily took, soon after your appointment to the government of these islands, in procuring the order for the division of the common lands in Alderney, also calls forth the thanks of the islanders; which division has realized the anticipation held out from that measure, and hopes cannot but be entertained, that by the persevering industry of the inhabitants, land which was profitable to none, will in the course of time, prove a certain source of maintenance to numerous families.

"May it be the lot of your Excellency, for many years to come, to possess the enjoyment of uninterrupted health and happiness, is the sincere prayer of the inhabitants of Alderney.

(Here follow the signatures.)

"Alderney, 10th January, 1837."

of. By this plan, responsibility would be secured, and, unless a member did his duty, the public would only be burthened with him for a limited time. We recommend this hint to the reformers of Jersey, to whom we cordially wish every success in carrying out the grand measure of purifying the Augean stable, in which their legislators are domiciled.

Royal Court.—In the case of Ahler versus Shave, a difficulty arose as to the admissibility of the depositions of two witnesses, who declared themselves to be Quakers. They offered to affirm, but refused to swear. The point of law yet remains unsettled, for the annexed act of court merely amounts to a compromise. By the statute 7 and 8 W. c. 34, Quakers who refuse to take an oath, under any form, are permitted, in judicial proceedings to make a solemn affirmation, and if such affirmation is proved to be false, they are subject to the penalties of perjury. A Mahometan may also be sworn on the Alcoran, and a Gentoo according to the custom of India, and their evidence may be received, even in a criminal case. The solicitor-general very properly remarked, that, if the magistrates refused to accept the affirmation of a Quaker, an order in council would soon compel them to be less intolerant.

"At the Royal Court of the island of Jersey.

"The year 1837, the 25th day of January, between Mr. Charles Ahler, curateur, (guardian) of the person and property of Mr. Michael Charles Roussel, and for whom Mr. Charles Ahler has remained security in his private capacity, to represent him, and to answer the action at all times when required, under the penalty of satisfying the judgment of the Court, on the one part, and Mr. William Shave on the other part, actioning him to see the confirmation of the seizure of his person by the officer, in virtue of an *ordre provisoire*, to compel him to pay a certain promissory note, drawn by the said Mr. Michael Charles Roussel, in favour of the said Mr. Wm. Shave, bearing date the 5th day of November, 1835, payable seven months after date, for the sum of £93 6s. 2d. (British sterling), equal to the sum of £100, old Jersey currency, and to hear the depositions of witnesses, according to the premises. And right and judgment before the full Court, on the difficulty which has arisen touching the objection of George Payn and Philip Lemprière, witnesses called by the said curateur, to take the oath prescribed by the code of laws of 1771, alleging that they were of the society called Quakers, as appears by the act of the court, bearing date the 16th day of January, 1837. The said George Payn and Philip Lem-

prêtre in the cause. The parties having recognised that the said Payn and Lemprêtre are of the society called Quakers, and declared their consent that they be heard on their affirmation, to speak the truth, without the oath being administered to them, the Court has ordered, that they shall be received accordingly. Therefore, the cause is sent back before the inferior number."

On the application of Advocate Le Conteur, who prayed for the registry of two patents, granted to John Howard Kyan, of Twickenham, —the first for the preservation of paper, sails, cordage, and hemp, from dry rot, dated 22nd March, 1833; and the second for preserving certain vegetable substances from decay, dated the 11th February, 1836, —the Court granted the prayer of the application for the term of fourteen years.

The attorney-general read the following Order in Council:—

"At the Council Chamber, Whitehall, the 26th January, 1837.—By the Right Honorable the Lords of the Committee of Council for the affairs of Jersey and Guernsey.

"Upon reading this day at the Board a petition of P. Perrot, Esq., constable of the town and parish of St. Helier, in the island of Jersey, on behalf of himself and his constituents, against the Act of the States of the said island, of the 26th of December, 1836, altering the ancient mode of assessment to parish rates, and thereby raising the qualifications of persons entitled to vote at public elections and parish meetings. Also an order of their Lordships, dated the 22d of January, 1836, suspending the 2d and 4th clauses of an Act of the 14th of January, 1833, and approved by his Majesty's Order in Council, on the 18th of July, 1835. Their Lordships heard counsel solely upon the question whether the documents purporting to be the answer of the States to the said petition of Peter Perrot, Esq., submitted to Council in December last, by a committee appointed by the States in July last, and not brought formally under the consideration of the States generally, by the said committee, and approved by them, was or was not virtually the answer of the States. Their Lordships taking into consideration the inconvenience which would be suffered in the island of Jersey in consequence of the suspension of the clauses Nos. 2 and 4 of the Act of the States of 1833, are pleased to order, and it is hereby ordered, that the said Order of the 22d of January, 1836, suspending the said two clauses, Nos. 2 and 4 of

the Act of 1833, be cancelled and annulled. And it is hereby ordered by their Lordships, that the constables of the said island do forthwith, as early in the month of February as possible, take measures for assessing the rates within their respective parishes.

"Their Lordships reserve for further consideration the merits of the general question, and the hearing of counsel thereupon, until their Lordships shall have had under consideration two further petitions from the inhabitants of Jersey, one on behalf of the petition of Mr. Perrot, the other on behalf of the Act of the States, the latter only received this day.

(Signed) "W. L. BATHURST."

Miscellaneous.—The Public Debt.—At the committee of the defence of the island, held on Wednesday last, it was ascertained that the debt under the guarantee of the States, amounted, on the 31st of December, 1835, to £47,337 18 4. The States have borrowed from the Savings Bank £6045 0 0 Bonds, or obligations, reimbursed.. 2216 13 4

3838 6 8
To which add last year's debt... 47,337 18 4

£51,166 8 0

Increase of Electors.—The number of quarters taxed last year amounted to 6,836, and the sum which each quarter paid was fixed at 5s. 6d. (British) besides sixpence per quarter for the roads. The present year, the rate, which has been assessed in conformity with the Order in Council, has produced 20,535 quarters. Upwards of two hundred persons have thereby been added to the list of rate-payers, and consequently to the list of electors. It is expected that one shilling and eight pence per quarter will be sufficient to meet the demands of St. Helier's parish; but the rate, with the addition of the road tax, may altogether amount to two shillings and two pence, Jersey currency, per quarter.

Jersey Museum.—This establishment proceeds most prosperously, a vast number of articles being added to it during the month.

Committee of Piers.—It was determined to recommend the legislative assembly, who had ordered the formation of the oyster beds at St. Catherine to be suspended, to withdraw their act.

Lewish.—A cutter, called the Julia, of 45 tons, was launched from the ship-yard of Mr. George Hampton.

SARNIAN MELODIES.—No. 9.

THE SAILOR BOY.

O that I were a sailor boy,
Away upon the bounding main,
All day long I'd sing for joy,
And each wave
That should rave
Should return the strains again.

I would leave all that I love,
Would forsake my dearest ties
On the wings of winds to rove,
As the breeze
Sweeps the seas,
And the gallant vessel flies.

To those far off fairy lands,
Where they search for gold in mines,
And gems strew the river sands

All as bright
As the light
Where the sun for ever shines.

There beneath his burning rays
Are the loveliest maidens found,
Oh! that on them I could gaze,
As their eyes
Like fire flies
Fling their witching brilliance round.

And when drooping age shall come
All the charms of life to cloy,
'Twill be sweet anon to roam,
And to tell
What befel
When I was a sailor boy.

P.

THE
GUERNSEY & JERSEY MAGAZINE.

APRIL, 1837.

ON THE RISE AND PROGRESS OF THE LEGISLATIVE
ASSEMBLIES IN FRANCE.

(Continued from page 129.)

In 1468, the States General were again convened at Tours. The Duke de Berry, only brother of the king, leagued himself with the enemies of the throne in the war, called the war *pro bono publico*. Dispossessed of his estates, he appealed to the nation : the people did not respond to his call. It was decided that Normandy could not be dismembered from the crown, as he demanded. The Duke of Brittany had seized on several towns in that province : he was compelled to surrender them. Commissioners were appointed to reform abuses : various remedies were essayed, but all proved abortive. Godefroi and Dutillet have recorded the ceremonials observed at this meeting. The *Tiers Etat* were on this occasion, for the first time, classed in the same section as the deputies of the nobility, and the members of the king's council.

In 1484, among the different subjects discussed at the States convened by the Lord and Lady of Beaujeu, charged with the government of the country during the minority of Charles the Eighth, sounder ideas were displayed on the question of the rights and interests of the people. The principal object of the meeting was to defeat the intrigues of the then Duke of Orleans, brother-in-law of the young king, and who aspired to the regency, but, this matter being speedily arranged, the assembly directed their attention to more important measures. After having bitterly inveighed against the enormity of the taxes and the exactions levied by the Court of Rome, the deputies decided, first, that all offices of judicature should be elective ; secondly, that the ancient customs of the country should be collected and reduced into writing ; thirdly, that no arrest should be allowed of working cattle, or of implements of labour ; fourthly, that all exclusive privileges in commerce be forthwith abolished.

At this meeting, the votes were taken by heads, and by orders. The Duke d'Alençon, the Count d'Angoulême, and some others, abandoned the pensions they received from the royal treasury, and insisted that this revenue should be applied to relieve the pressing necessities of the people. The Count d'Armagnac threw himself at the feet of the king, and demanded justice. Confined during fourteen years in a dungeon bristling with sharply pointed iron, from whence he was taken every month to lose a tooth, till they were all extracted, he had seen his brother stabbed before his face, and his sister-in-law compelled to swallow poison, forced upon her by the infamous Oliver Leroux. The count demanded that his complaint should be heard, and that his estates should be restored. This dreadful statement melted the hearts of the whole audience.

The States of Flanders and Brabant sent deputies to Tours, to demand a confirmation of the last treaties of peace. This embassy shows the importance attached to the assembly of the three orders of the nation in the fifteenth century.

Louis the Twelfth had intended to have married his daughter Claude of France to Charles of Luxemburg, better known in history as Charles the Fifth of Spain. A contract to this effect had been passed with his father, Ferdinand the Catholic, but, on reflection, the terms were considered unfavourable, and it was resolved to evade its completion. To enable him to carry this determination into effect, the French king assembled the States General, and submitted to them the proposed alliance which was dexterously mixed up with the project of uniting the princess to the Count d'Angoulême, afterwards Francis the First. The States decided to break off the Spanish marriage, and adopt the alternative offered. In three days afterwards, this marriage was solemnized. The subsequent enmity between Charles the Fifth and Francis the First thus originated in their rivalry for a wife, and subsequently expanded into a rivalry for military dominion.

The address of the *Tiers* was remarkable, as, instead of complaints and grievances, it breathed praise and thankfulness. Thomas Bricot, one of the canons of Paris and one of the metropolitan deputies, was the spokesman. The following is one of the passages of his harangue : “ In times of trouble and alarm, when the revenues of the crown appeared insufficient, the taxes have been diminished one third; you have provided, Sire, for the security and tranquillity of the citizens by wise laws, and repressed the excesses of the soldiery by an orderly discipline. The husbandman has ceased to tremble at the approach of the warrior, and, to use the language of the prophet, the lamb frisked among the wolves, and the kid played among the tigers. What thanks are not due to you from the subjects you have protected and enriched ! Deign then, Sire, to accept

the title of *Father of the People*, which they this day offer you by my lips." At these last words a murmur of approbation ran through the whole assembly, followed by shouts of joy and enthusiastic acclamations.

The orator paused for a moment; then resuming his discourse, he alluded to the sickness of the king, and the alarm of the nation at the prospect of so soon losing a monarch idolized by all the people. "And you, Sire," continued the deputy, "at the moment when you thought your last hour had arrived, you declared that you only regretted life, because you had not yet secured the permanent happiness of France. These memorable words embolden us to lay our humble petition at the feet of your Majesty." At these words the whole assembly fell on their knees, and the orator, still maintaining his erect attitude, exclaimed, "May the supreme ruler of events prolong your reign! May he, propitious to our descendants, give them for a sovereign a son who emulates your virtues." The king, most deeply affected, shed a flood of tears; and no one, who reflects on this affecting scene, can peruse the narrative unmoved. Louis the Twelfth merited the gratitude of his subjects, and he is a model which all monarchs would do well to imitate.

We now proceed to the States General convened by Charles the Ninth, at Orleans, in 1660. The contrast is striking between the personal character of the two kings, and the spirit of the age in which they reigned. Charles presented himself before the meeting in deep mourning; his father, it is true, was recently dead; but the circumstance was recollected at a subsequent date, and as many delight to prophecy *after* the event, his sable dress was noticed as the emblem of the future horrors of his government. Michel de l'Hôpital read the speech from the throne; he read the celebrated ordinance which took the name of the town in which it was published, and which, filled with useful and enlightened views, has served as the basis of French jurisprudence. The abuses of monitories were reformed, and substitutions limited to the second degree. The States demanded the suppression of the sale of public offices, introduced under Francis the First by the Chancellor Duprat, and succeeded in abolishing those called *annates*. This was a privilege granted to the pope by the *concordat* of Francis the First, and consisted in one year's revenue of all bishopricks and abbies. This assembly, in 1761, was removed to St. Germain-en-Laye, and there measures were concerted to cancel the national debt, which was swelled up to forty-two millions of francs.

On two occasions, Henry the Third, brother to Charles the Ninth, less detested, but no less detestable, ventured to convene the deputies of the nation. Twice he had the imprudence to cause them to interfere in his royal turpitudes. Dissolute and effeminate, he wished to impose on the world his devoted attachment to the religion of his ancestors; and

under the base pretext of not tolerating any other form of worship, he attempted to establish a despotism. This was indeed practicable; others had succeeded before him; it merely required courage, and favourable circumstances. But in the midst of the dreadful commotions which, during the reign of Henry the Third, agitated the provinces, to attempt the introduction of a system subversive of all the national rights, was more than he dared to hazard, as it must have been followed by the most awful catastrophe.

The king, at the States convened at Blois, in 1576, delivered a statement universally extolled, but it was not his own composition, but that of Jean De Morvilliers. Henry, as Tiberius, affected to be a *bel-esprit*, without having sufficient industry to acquire a decent proportion of knowledge. There have been, at all times, convenient pens and accommodating writers, to compose for princes, for whom harmonious phrases have been sketched, and *impromptu bons mots* coined, which, being stamped with the counterfeit seal of royal originalities, fly from mouth to mouth, amusing the idler, and edifying the dupe.

In the memoirs of L'Etoile, and those of the Duke de Nevers, the curious may read a history of the cabals of these times. The deputies summoned at Blois amounted to three hundred and twenty-six, in the following proportion. One hundred and four represented the clergy; seventy-two, the nobility; and one hundred and fifty, the *tiers*. The method of collecting the votes was vehemently discussed, whether by heads, or provincial deputations; the latter mode was adopted.

But in 1588, the States, again assembled at Blois, were the scene of affairs more stormy and eventful than any which had hitherto occurred. The President De Thou has preserved the address with which Henry the Third opened the session. A variety of subjects were brought forward, and all received a cursory discussion; but after each measure had been sifted to the bottom, the conclusion badly corresponding to the exordium, scarcely any thing promised was performed, and nothing that was decided upon was carried into execution. The real object was studiously concealed under the mask of a false one. Great misery prevailed in the provinces, and a secret desire and an undefined longing after change was manifested in all quarters. The Duke de Guise knew it; he attentively watched all the symptoms of popular discontent. At the head of a powerful party, he struggled, now openly, now disguisedly, against the court and the ministry. His popularity was almost universally seductive. He possessed that winning grace in a leader of opposition which flatters the multitude, and so powerfully influences the course of public affairs. It was precisely the *excess* of these personal advantages which caused his ruin. He was too confident in his own resources, and injudiciously despised the tactics of his oppo-

ments. He thought that Henry the Third was as incapable of adopting vigorous measures, as he felt himself prone to them, and he piqued himself in playing with those whom he intended to destroy, as if he could always select his own time, and control events at his will. Audaciously entering Paris, and braving the guards stationed at the Louvre, he saw himself at once master of the capital, and yet he hesitated to seize the person of the king. Henry, compelled to fly in haste, then formed the design of getting rid, at any price, of this formidable subject, who had long held in his hands his diadem and his life.

It was under these circumstances that the States General were convened for the second time at Blois. Hatred and treachery swayed the heart of the king. Ambition drew the Duke de Guise to the meeting. He saw that the time had arrived, when it was necessary to terminate the discord which rent France asunder. He did all that could be expected from a skilful and determined leader, that the *denouement* of so many intrigues might crown his hopes with success. Personally, and through his agents, he commanded a majority of the deputies. The stakes were death or a throne, infamy or glory. His mind full of this alluring prospect, his imagination inflamed with these brilliant illusions, the duke entered, on the 16th of October, the grand hall of the castle of Blois, and, as he held the office of grand-master of the royal household, he opened the sitting of the States. So far all proceeded favourably to his views, and his triumph appeared certain and speedy. The wishes of the vast majority seemed to call Guise to the throne, which the representatives of the nation would assuredly have confirmed to him and his posterity. But the slave of ambition had not counted all the chances of the game. The king, who in his eyes was a shadow, a lost and abandoned puppet, surrounded by a scanty *coterie* of timid and irresolute courtiers, found among them an assassin, whose ready dagger stretched Guise a lifeless corpse on the floor, and decided the question of sovereignty. The murder completed, Henry repaired immediately to his mother, who was confined to her bed by infirmities which led her to the grave. "The king of Paris is no more, Madame," said he on entering, "and I am now undisputed sovereign of France." "Have you caused the Duke de Guise to be assassinated," said she? "God grant that his death may not render you king of nothing." He begged her to remain tranquil, and went to show himself to the people.

Catherine foresaw the consequences of this murder, which was followed by several others. The deputies separated; their return assuaged the provinces, and the towns soon rose in arms. Paris gave the signal, and never was civil war waged with more deadly vengeance; man fought against man; family, against family; province, against province; and the king reaped no other harvest from the fatal precedent

he had established, than falling in turn under a weapon which he had taught others to sharpen.

Henry the Fourth, at the commencement of his reign, seemed to dread the States General. It may appear extraordinary, that a king, so emphatically the friend of his people, should have felt any repugnance to the exercise of their rights through their representatives. But the reasons for this reserve are fully explained by Sully. Henry the Fourth had been proscribed, as well as all the branches of the Bourbon line, by the Holy League. He had since ascended the throne, but it swayed to and fro under his weight. His wise minister, and sincerely attached friend, thus writes on the subject of the States General, as he advised his royal master : "Beware," said Sully, "of treating with your rivals, by associating them with you as equals; beware of giving them the opportunity of compassing their common interests by union, which will bind them together, and give them a head, arms, and legs, to act in concert, and dance to the same tune. Rather receive individuals one by one, divide them, and gain an influence over them separately." The excellent Rosny from love to his master, which, however, was mixed up with love for his country, here professed principles which had been taught by Machiavel, and which Louis the Eleventh would not have disavowed.*

"Out of so many different heads," added Sully, "so many capricious humours, prejudices and interests, jealousies and hatreds, plots and rivalries must necessarily arise, which will so clash with each other, that it will be next to impossible to reconcile them : thus discontented among themselves, and grown desperate by their passions, they will throw themselves into your arms as an umpire and pacificator, and if you choose to become a Catholic, all the present difficulties will be still more easily smoothed." This advice Henry the Fourth followed, and these few extracts contain the true secret of his conduct, and the real motives of his policy, during the first years of his reign. In spite of him, however, the States first assembled at Soissons, and afterwards at Paris, and the close of the debates justified the predictions of Sully, by an arrangement with the king, who abjured his creed, and, from being a heretic yesterday, became on the following morning *His Most Christian Majesty*. He was crowned a monarch, but the diadem rested unsteadily on his brow. Conspiracies were daily hatched; intrigues were incessantly planned in the dark; and the bigotted leaguers, dispersed as a body, yet still formidable as individuals, hourly devised schemes of murder, which, unfortunately for France, they too quickly succeeded in perpetrating.

The Calvinists afforded as little repose, as the Catholics, to the monarch who had been their companion in adversity, and who always

* Louis the Eleventh wished his son to learn no more latin than the following : Qui nescit dissimulare, nescit regnare.

proved himself their friend and protector. They harassed him with demands, and, in order to force him to concessions, they convened assemblies at Loudun, which were the States General of a party, and caused a schism among a people who had the greatest need of union. The Spaniards and the Bretons marched in force against the royalist troops. Henry summoned in vain to his standard the army of the Protestants. The chiefs, Latrémouille and Bouillon, refused to march; and this defection of his friends deeply affected the heart of the king. He had pronounced the assembly at Soissons unlawful, because he dreaded the intrigues of the Catholics; he convened the "notables" at Rouen, in the hope of finding among them a refuge against the intemperate and unreasonable demands of the Protestants. The speech of the monarch at the opening of the session was noble in sentiment. It was, however, deemed too popular by the aristocracy. This induces us to cite the most unpalatable passage. "If I made it my glory, gentlemen," said the king, "to pass for an eloquent orator, I should have brought hither *smooth and rounded sentences rather than sincerity and good faith*: but my ambition soars higher than polished elocution: I aspire to the glorious title of liberator and restorer of the French nation. I have rescued it from slavery and pauperism; I now desire to elevate it to its ancient power and dignity. I have not called you together, as my predecessors were wont to do, *to compel you to approve of my will and pleasure*. I have assembled you to hear your advice, to believe it honest, and to follow it; in a word, to place myself in your hands, as my guardians, counsellors, and friends, a disposition not frequently taken by kings; but the pure and intense affection I bear to my subjects assures me that this is the most manly and honourable course that I can pursue."

We now leap over the interval which separates the States General at Rouen, from those which were held in 1614, at Paris, by Louis the Thirteenth, declared of age and crowned king, but whose fate it was to be governed rather than to govern. All the benefits conferred by Henry Quatre on his ungrateful countrymen could not appease their hatred, nor save him from assassination. He fell a victim to the atrocious fanaticism of the Jesuits and the personal animosity of disappointed courtiers. As soon as this illustrious monarch was dead, the intriguers recovered their boldness. They seemed to consider France, as buccanniers do a merchant vessel, which they might plunder and destroy for their own emolument. In the hope of arresting these disorders, the States General were assembled. The Queen Regent had promised their convocation, and the first act of her son was to summon them to Paris. Each of the three orders had their respective president, who was elected by a majority of votes. The clergy chose the Cardinal de Joyeuse;

the peers, the Baron de Senecé; the *tiers*, Robert Miron, provos of the merchants. Their proceedings commenced with an examination of the state of the finances. Henry the Fourth had left fifteen millions of assets in the treasury of the Bastille. The States ascertained that this money had been abstracted. It had been employed by his successor to pay partizans, to conciliate rivals, to purchase opponents, and gratify favourites. Savaron, a member of the *tiers*, and one of the deputies from D'Auvergne, drew up an indignant memoir on this robbery, which does honour to his memory. He was nominated by his order to carry the complaints and remonstrances of the people to the chamber of peers. He there eloquently declaimed against the venality of the government. "*Rentrez dans l'honneur de vos pères, que vous avez perdu par la vénalité des offices,*" exclaimed the orator. The hereditary nobles were shocked at such an imputation on their escutcheons, and threatened to make him repent of his uncourteous temerity; but the king appointed a body guard for his personal safety. It is rare at any time to speak truth to usurpers without danger. John de Beaufort, in reference to this meeting of the States General, published a work entitled "*Le Trésor des Trésors,*" replete with useful facts and enlightened views, and which occupied, during several sittings, the attention of the king's council, and the three orders. The president Jeannin, estimable for his probity in a station in which virtue is rarely exercised, communicated to the deputies an account current of the national receipts and expenditure. The latter amounted to twenty-two millions; the former, to only eighteen millions; leaving a deficit of four millions. Commissioners, chosen from the three orders, were ordered to examine what outlay could be saved, and devise means to equalize the outgoings with the incomings. The lands belonging to hospitals were declared, for the future, exempt from taxes; a rare reform! as parliaments are usually engaged in accumulating superabundant wealth on the rich, instead of relieving the burthens of the poor. Another remarkable circumstance occurred at this meeting; a division arose between the *tiers* and the two other orders, on the independence of the sovereign, relative to the temporalities of the kingdom. The clergy and the nobles attacked it; the deputies of the people defended it; and the court, disturbed by this debate, abruptly closed the session, in the month of February, 1615. Perhaps this precipitancy led to another result equally extraordinary; the king did not demand any subsidy.

In 1650, the nobility prayed for the convocation of the States General. The pretext was sufficiently frivolous. The minister, Cardinal Mazarin, contrary to the etiquette of the court, had prevailed on the queen to grant the *tabouret* to two of his female friends, the Princess de Marsillic, and the beautiful Madame de Pont. Dukes, marshals, their

wives and daughters, and the whole swarm of the *haute noblesse*, were thrown into utter consternation, believing that the world was coming to an end. Even private gentlemen were shocked at this innovation. The nobles insisted on applying an immediate remedy. They assembled in their salons, discussed their perils, and formed conspiracies. It was decided on presenting a memorial to the court. The grand master of the wardrobe was deputed to lay it at the foot of the throne, in the name of the *haute noblesse*. If the queen had resisted, she could not have avoided calling the States together, to solve the important problem as to the rights of persons to sit on a low stool in the king's presence. This folly reminds us of the senate of Rome being convened to decide on the quality of the sauce which was to be used in dressing the famous turbot.

The queen and Mazarin were too cautious to hazard this experiment; they knew that this silly object, once mooted, might lead to the discussion of matters of more serious moment. They prudently stooped to conquer, and the two *tabourets* were withdrawn. The fierce vengeance of the insulted aristocracy was thus appeased, and all their chivalrous resentment against the violation of a senseless piece of foolery vanished in smoke.

Here terminates the rapid sketch we proposed to draw of the rise and progress of the legislative assemblies in France, from the foundation of the monarchy to the ever-memorable era of 1789. They were never again summoned till that period. Our task was limited to a simple outline of the broad and more prominent facts, and we have studiously avoided any multiplicity of details. These the student may supply as he pursues a regular course of historical reading; but this brief essay, as a chronological table of events, will aid the memory, define periods, and assist more laborious research. The contrast is remarkable between the advance of the English and French parliaments, which latter are still in their political cradle, precisely because the deputies are less identified with the electoral constituencies, and this will continue to be the case till the French masses become as intellectual as those of England.

STANZAS FROM THE GREEK OF POSIDIPPUS.

THE TRAVELLER AND STATUE OF OPPORTUNITY.—A DIALOGUE.

TRAV.—Say, image, by what sculptor's hand,
In breathing marble, here you stand?

OPP.—By his, whose art, to thousands known,
Bids Jove and Pallas live in stone;
But, seldom seen by mortal eyes,
I claim the kindred of the skies,
By few I'm found, though great my fame,
And *Opportunity's* my name.

TRAV.—Say, if the cause you may reveal,
Why thus supported on a wheel?

OPP.—The wheel my rapid course implies;
Like that with constant speed it flies,

TRAV.—Wings on your feet?

OPP.— I'm prone to soar,
Neglected, I return no more.

TRAV.—But why behind deprived of hair?

OPP.— Escaped, that none may seize me there.

TRAV.—Your locks unbound conceal your eyes?

OPP.— Because I chiefly court disguise.

TRAV.—Why coupled with that solemn care,
That down-cast mien and mournful air?

OPP.— *Repentance, she, (the stone replies,)*
My substitute, behind me flies;
Observe, and her you'll ever see
Pursue the wretch deprived of me:
By her corrected, mortals mourn
For what they've done, and what forborne.
Ask me no more, for, while you stay,
I vanish unperceived away.

MADAME D'ESCOMBAS.—A TALE OF PARIS.

Ill-suited matches are productive of such complicated misery, that it is wonderful moralists should be compelled to declaim against them, and adduce arguments and examples to expose the folly, and brand the cruelty of such parents as sacrifice their children to avarice or ambition. Daily experience indeed shows, that the misconduct of the old, who, by their wisdom, should be able to direct the young, and who either have, or are thought to have, their welfare alone in view, is not only subversive of all the bliss of social life, but often gives rise to events of the most tragical nature. As any truth that regards the peace of families cannot be too often inculcated, the following authentic history, which is literally true, cannot fail to be acceptable to our readers.

A citizen of Paris, who though he could not amass wealth, for the acquisition of which he had an inordinate passion, made, by his unwearied efforts, wherewithal to maintain his small family in creditable respectability. He had a daughter, whose beauty was incomparable, but which ultimately proved fatal to herself, her husband, and her lover. Monsieur D'Escombas, a gentleman advanced in years, could not behold this enchanting girl without desire; but his age disqualified him from any other duty than that of the dragon, who guarded the golden fruit in the garden of the Hesperides. The father of Isabella, for that was the name of the young lady, was highly pleased at meeting with so advantageous a match for his daughter, as old D'Escombas was very rich, and willing to take her without a portion; which circumstance was sufficient, in the opinion of a man whose ruling passion was a sordid attachment to interest, to atone for the want of youth, virtue, sense, and every other qualification. Isabella, who had no other alternative but a nunnery, if she refused M. D'Escombas, preferred being consigned to his monumental arms, to being buried alive in the melancholy gloom of a convent. The consequences of this unnatural union were such as might have been expected. As Madame D'Escombas secretly loathed her husband, her temper was in a short time soured by living with him, and she totally lost that ingenuous turn of mind, and that virtuous disposition, which she had received from nature. Madame

D'Escombas was soon courted by several young men of fascinating address, and it was not long before her affections were entirely fixed on M. Monjoy, an engineer, who was equally remarkable for his gentlemanly carriage and his polite address. In the reign of Louis the Fifteenth, when this history took place, married women lived with scarcely any restraint in Paris; so much so, that it may be justly said they changed their condition from celibacy to matrimony for the reason assigned by Lady Townly in the play; to wit, to remove that restraint from their pleasures which they lay under when single. Old D'Escombas was deeply mortified to see Monjoy in such high favour with his wife; yet he did not know how to get rid of him, though he had not the least doubt that he had dishonoured his bed. On the other hand, Madame D'Escombas and Monjoy, who looked upon the old man as an obstacle to their pleasures, were impatient for his death; and the lover often declared, in the presence of his mistress, that he was resolved to remove the man who stood between him and the happiness of calling her his own. In a word, he plainly manifested his intention of assassinating her husband, and she, by keeping the secret, seemed to yield a tacit consent to his wicked purpose. Their design was to marry publicly as soon as they could dispatch a man who was equally odious to them both, as a spy who watched all their motions, and kept them under constant restraint. It was not long before Monjoy had the opportunity he desired; he happened accidentally to sup with the husband of his mistress, at a house not far from the Luxemburg palace, and supper being over, he asked D'Escombas to take a walk with him in the gardens that belong to it, which the old man, who dreaded Monjoy as much as he hated him, dared not refuse. On their way thither, Monjoy found some pretence or other to quarrel with him; and just as they came to the steps at the entrance of the garden, he stabbed his victim several times in the back, and left him there breathless, and covered with wounds, which were so inflicted as to make it evident to every person that he had been treacherously killed.

It has been frequently and justly observed that murderers often rush headlong into the punishment they have incurred by their crime; and the conduct of Monjoy is one, among many proofs, of the correctness of the observation. No sooner had he committed the barbarous act, than he hastened to a commissary of police, whose functions are much the same in France as those of a justice of peace in England, and declared upon oath that he had killed D'Escombas in his own defence. The commissary was at first satisfied with his account, and was about to dismiss him; but Monjoy, being in great agitation, and continuing to speak, dropt some words which made the commissary suspect his guilt. He accordingly sent for the body, and a view of the wounds in the back of the feeble old man confirmed his suspicions. The assassin was committed to the Chatelet, the city-prison of Paris; the corpse was also sent there, and, according to custom, exposed to the public for recognition, that the friends and relations of the deceased might have an opportunity of claiming it. No sooner was Madame D'Escombas informed of the confinement of her lover, but, blinded by her passion, she went to visit him in his prison, and was detained upon suspicion of being an accomplice in the murder.

In the prison, Madame D'Escombas and her gallant plunged deep in

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TRAV.—But why behind deprived of hair?

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THOUGHTS ON GARDENING.—No. 4.

As all plants, in their several degrees, draw from the earth such aliment as is proper for their subsistence, and as they prosper, according as the nourishment they receive is more or less suited to their nature, we may, from these considerations, reasonably infer, that there is a circulation of sap in vegetables, somewhat analogous to that of the blood in animals, as we endeavoured to show in the first of this series of articles. All animals require a diet, and that diet, being concocted, is the matter from which the blood is drawn, and the body is either healthy or distempered, as the blood is pure or impure. Hence it follows, that we ought as carefully to provide wholesome and natural nourishment for the sustenance of each respective plant that we propose to propagate, as we usually do proper food for every animal that we intend to rear.

The food of land animals is of three kinds only, to wit, flesh, herbs, and seed or fruit. So likewise, the food of terrene plants is of three sorts, sand, loam or mother earth, and clay, in their several degrees ; and as the several kinds of flesh, the various tribes of herbs, and the many different fruits, have, each, their respective animals to feed upon them, so also sand in its several degrees, loam of different sorts, and clays of all kinds, have certain proportions of salts in them respectively, proper for the nourishment of every plant. Fruit or seed we may consider to be the medium nourishment between flesh and herbs ; and we find that every land animal will feed upon it, although their natural food is either flesh or grass ; as, for example, a horse, whose proper food is grass, will eat grain ; and dogs, and other creatures which feed upon flesh, will eat fruit. The willingness of animals to consume this varied diet, has led many philosophers to conclude that the salts of flesh, fruit, and herbs, are the same in quality, and only differ in regard to their quantities. Thus, for instance, one pound weight of flesh may perhaps contain twice as many salts as the same weight of grain or seed, and one pound of grain twice the salts that may be found in herbs or grass. That all these salts conduce to vegetation is evident by the common practice of burying straw or litter, brakes, halm, and similar materials, to enrich some soils. It has also been proved that, if fruits and grain be well consumed, one load of either of them, laid upon a spot of ground, will enrich it more than ten loads of horse dung, as was tested, more than a century ago, by Sir Hugh Platt ; and every practical horticulturist is sensible of the fertilizing effects of carrion, leather, or any parts of animals applied to the roots of vegetables.

Loam, or mother earth, we consider as the medium between sand and clay, or, in other words, we regard it as an earth of a temperature, which partakes equally of both of them. Indeed, all soils may be reduced under these three general heads, to wit, sand, loam, and clay ; for all other varieties, though they may bear different names, are in some respect dependent upon one or other of these. Gravels, and all the open soils, till we come to the loam we have mentioned, are of the sandy race ; and the binding earths, from loam downwards, till we come to the stiffness of chalk itself, may be ranged with the clay family. All these soils have a capacity to promote vegetation, and contain salts proper for that purpose, but in different proportions as to quantity. For instance, a peck of clay holds, perhaps, twice as much salt as a peck of loam ; and a peck of loam

twice as much salt as a peck of sand. From this argument, it may seem at the first blush that clay is the most proper soil to forward the growth of plants, though experience has proved that sand is much more apt to produce plants quickly than any other soil; but this apparent paradox admits of any easy solution. Clay, the parts of which are adhesive and closely wrought together, will not readily give out the salts that it contains; neither can the tender fibres of every plant force their way through it in search of their nourishment; but if we open its parts, by digging and breaking it into small particles, and keep those parts open by a mixture of some sharp sand, or other body of the like nature, we shall not fail to see the effects of its vigour. On the other hand, sand pushes forward the plants growing upon it early in the spring, and will even cause them to germinate nearly a month sooner than the plants growing upon a clay; the reason is, that the salts contained in sand are at full liberty to be raised and put in motion, upon the least approach of the sun's warmth; but then they are soon exhaled and lost.

There are certain plants which are natural to clay, or give it, if we may be allowed the expression, a preference, and consequently thrive better in it than in any other soil. Sand also has its natural plants, which delight in it, and will not equally prosper in any other earth. However, both the clay and sand plants will grow in the loamy soil we have mentioned, because it partakes of the qualities of sand and clay, as grain does of flesh and herbs, in respect to the food of animals.

The word "loam" is variously received, and understood by planters; it is, therefore, necessary that we should affix to it a definite signification to avoid all ambiguity. According to some writers on gardening, it denotes the most common superficial earth, without any regard to the proportions it bears of sand or clay. Others consider it as that quality of soil which inclines rather to clay than sand. Wherever the term is used in this series of articles, we always mean that degree of earth which equally partakes of sand and clay.

The earth, then, which we call loam, may either be of a black or a yellow colour: but let it be either the one or the other, experience teaches that plants of all sorts will grow in it; and, for the reasons above mentioned, it appears to be a more productive soil than any other. Since loam is so fertile, that even plants, reared in different soils, will thrive in it, it seems reasonable, that if by mixtures of natural earths one with the other, we make such a compost as most nearly imitates it, we may expect far greater success from a mixture of that sort, than from any composition of dungs, or other forcing ingredients. For it is well worthy of remark, that animals, and vegetables also, of all sorts, are more lasting, according to the simplicity and natural character of their diet. It is true, that hot-beds, and similar preparations, will forward the growth of trees, as much in one year as nature unaided would do in six years; and we find, in an old book written by a Doctor Agricola, of Ratisbon, that he pretended by an artificial compost, *à la Morison* we suppose, to raise forest trees to the height of twenty feet in a few days. But precocious growth is the precursor to premature decay. We find the same rule obtain in the animal kingdom, particularly in the human race, for excess of unnatural food and stimulating liquors, shortens the life of man; while, on the other hand, those who have only a bare subsistence, and are forced by necessity to live on the food of their own country, are usually long-lived. It seems, therefore, prudent, not to force the growth of trees, especially

timber trees, by violent means, if we design that they should last long ; nor ought we to take them from a nursery of rich ground, and plant them in land where they will not find the same quality of nourishment, for the great probability is that they would decline. In the reception of transplanted trees, the earth should be fresh, and well opened in its parts ; and if sifted, it will assist the striking of young roots, and support them till they acquire strength.

When the loam we have mentioned cannot be obtained, that desirable soil can be prepared by mixing equal quantities of sand and clay. This has its greatest use in forming new plantations ; for, in such cases, we ought always to examine the depth of the soil underneath, into which the trees will have to push their roots, and from whence they are to draw their chief nourishment. This knowledge may be easily acquired by examining the most vigorous trees of every kind, and observing the qualities and depths of the soils they feed from ; from such examples the young gardener will regulate his plantations accordingly. We may thus learn, for instance, that an oak will never make good timber, if it be planted or sown on a shallow rocky soil ; and, at the same time, that an ash will grow there.

Artificial composts for increasing the early productions of plants are so numerous, and the materials for forming these various mixtures are so scarce in some places, that it would be a waste of time were we to enumerate them. We may, however, remark, as a general rule, that all artificial soils should be composed about October, and sifted at the following spring, just before they are used ; for if they are first prepared in the spring, the summer's heat will cause their volatile spirits to exhale ; besides that loss, weeds would be apt to rob them of their nourishment, unless most carefully sheltered in some shady place under trees.

“ OH ! FOR A HOME AMID THE HILLS.”

Oh ! for a home on some mountain swell,
Where the smiling Dryads fling their shades !
Oh ! for a seat in some prostrate dell,
When day's carnation gently fades.

Bear me away from the haunts of the world,
Where man is a tyrant, where hope is a foe :
Where selfishness black has its banner unfurled ;
Where freedom is bondage,—tranquillity, woe.

Give me the sight of some prospect vast,
Give me the sea, with its foaming plains,
With mountains o'erhung, and rivers cast,
Binding huge worlds by its crystal chains.

Give me to roam where the wild winds play,
Where the thunder roars loud, and the lightnings glare,
Where the tumbling cataract dashes its spray,
Oh ! let me wander for ever there.

A. KESSEN.

TRAV.—Wings on your feet!

OPP.— I'm prone to soar,
Neglected, I return no more.

TRAV.—But why behind deprived of hair?

OPP.— Escaped, that none may seize me there.

TRAV.—Your locks unbound conceal your eyes?

OPP.— Because I chiefly court disguise.

TRAV.—Why coupled with that solemn care,
That down-cast mien and mournful air?

OPP.— *Repentance*, she, (the stone replies,)
My substitute, behind me flies;
Observe, and her you'll ever see
Pursue the wretch deprived of me:
By her corrected, mortals mourn
For what they've done, and what forborne.
Ask me no more, for, while you stay,
I vanish unperceived away.

MADAME D'ESCOMBAS.—A TALE OF PARIS.

Ill-suited matches are productive of such complicated misery, that it is wonderful moralists should be compelled to declaim against them, and adduce arguments and examples to expose the folly, and brand the cruelty of such parents as sacrifice their children to avarice or ambition. Daily experience indeed shows, that the misconduct of those who, by their wisdom, should be able to direct the young, and either have, or are thought to have, their welfare alone in view, is only subversive of all the bliss of social life, but often gives rise to events of the most tragical nature. As any truth that regards the history of families cannot be too often inculcated, the following story, which is literally true, cannot fail to be acceptable to our readers.

A citizen of Paris, who though he could not amass wealth, yet the acquisition of which he had an inordinate passion, made, by his unremitting efforts, wherewithal to maintain his small family in credit and respectability. He had a daughter, whose beauty was incomparable, which ultimately proved fatal to herself, her husband, and his name. Monsieur D'Escombas, a gentleman advanced in years, could not hold this enchanting girl without desire; but his age disqualified him from any other duty than that of the dragon, who guarded the golden fruit in the garden of the Hesperides. The father of Isabella, which was the name of the young lady, was highly pleased at meeting so advantageous a match for his daughter, as old D'Escombas, who was rich, and willing to take her without a portion; which of course was sufficient, in the opinion of a man whose ruling passion was attachment to interest, to atone for the want of youth, virtue, and every other qualification. Isabella, who had no other prospect than a nunnery, if she refused M. D'Escombas, preferred being buried in his monumental arms, to being buried alive in the melancholy solitude of a convent. The consequences of this unnatural union might have been expected. As Madame D'Escombas, since the death of her husband, her temper was in a short time soured by the influence of him, and she totally lost that ingenuous and generous disposition, which she had received from nature.

The patriarch himself seems not to have been occupied in any manual labour, but is often represented as sitting before the door of his tent, or under the shade of a tree, with a truly Asiatic indolence, as upon the arrival of a stranger, he is said to *lift up his eyes and see*; which very particular expression seems to imply an effort in such an act. When the stranger arrives, he is received with great courtesy and hospitality; for Abraham addresses the angels, whom he does not know to be such, as his *lords*, and styles himself their *servant*. They are then invited to wash their feet, whilst Sarah prepares the bread, and Abraham procures a calf, butter, and milk for them, which they eat under the shade of a tree, and Abraham waits upon them during their repast. If the stranger travelled with cattle, they were also provided with straw and provender.

The patriarch's own cattle were kept either by his sons or his servants, who attended them day and night; at least, it was a covenant between Laban and Jacob, "that, if any were stolen either by day or night, or destroyed by wild beasts, the shepherd should be answerable for them." The servants became such, either by being born within the patriarch's district, or by purchase; whilst some few only engaged for a term of years, as in the instance of Jacob and Laban. But those who could be the most depended on, were the children of the patriarch himself, or their descendants. Their increase was encouraged by every means possible, being their best wealth, and unhappy was the woman who did not bear a considerable number. The wife, indeed, having no fortune, was purchased by the husband for this sole purpose; which, if she did not answer, her disgrace was complete. Hence, Rachel is dismissed with blessings and wishes for her fruitfulness, and says afterwards to her husband, "Give me children, or I shall die;" hence God is supposed "to open and shut her womb;" and upon bearing a child, the expression used was, "God hath taken away her reproach." The belief that the Messiah might be descended from them, possibly contributed to this earnest desire of becoming a mother.

In their marriages, (from the time of Isaac at least,) it seems to have always been wished that the bride should live at a distance from the patriarchal residence, but that she should be related, and particularly a first cousin. The first requisite probably arose from the danger of early incest in the patriarch's own family; and the second, from apprehensions of disagreement between the husband and wife, after the introduction of circumcision, which the wife might probably have opposed, when her new-born infant was only eight days old, unless she was in some degree descended from Abraham, who established this practice. We find, accordingly, that Ziporah, who was a Midianite, and married to Moses, delayed this operation so long, that he is threatened with death by an angel; upon which the mother indeed complies, but reproaches Moses twice with being a bloody husband to her on this account. Jacob's sons, likewise, for the same reason, declare, that they will not marry the daughters of the Shechemites, before circumcision is submitted to by all the male inhabitants of the town of Shechem.

It was allowed to marry at least two wives, though sisters; but, as both of them might prove barren, we find that, in the instance of Rachel and Leah, they received from their father two handmaids, in whom they continued to have such absolute property, that, if they bestowed them on their husbands in marriage, the children which they bore were in some manner considered as their own, whilst to make them more completely

so, the handmaid was delivered upon the knees of her mistress; "Go in unto her, and she shall bear upon my knees, that I may also have children by her." (Genesis xxx.) It is a singular fact, though it may not be generally known, that in former times, in England, the grand-daughter was always delivered upon the knees of the grandmother; and writers upon the old usages of Prussia and Lapland, affirm that, in those countries, the husband placed his wife on his knees for the same purpose.

Though the handmaid's children, in the patriarchal age, were considered legitimate, yet she and her offspring seem to have continued under the power of the mistress, for Sarah insists upon Hagar being sent with her child into the desert, which Abraham cannot oppose, though he wishes to do so; and such a maid is therefore sometimes styled a *bondswoman*.

Whilst the mistress, however, was satisfied with the behaviour of the handmaid, both she and her children were treated nearly in the same way as the wife and her children would have been. Thus Joseph, the son of Rachel, keeps sheep with the sons of Bilhah and Zilpah, who were handmaids to Rachel and Leah, and the only reason given for Jacob's preferring Joseph is, that he was the son of his old age. The brothers also resent Joseph's conceiving, from his dream, that he should have any superiority over them. Thus Jacob, likewise, with his two wives and their two handmaids, and his eleven sons, advance by themselves when he is approaching Esau, under apprehensions that he will not be well received, whilst he is preceded by other parts of his retinue, whose lives are not so precious to him.

It should seem, indeed, that there was some sort of distinction between the two sorts of marriage, as far as related to the mothers, though not to the children; for it was a general law in all the countries adjacent to the promised land, that adultery with the wife of the more solemn marriage should be punished with death. But if the woman was not under such a contract, the princes of the east often placed her in their seraglio. We allude to the instances of Sarah and Rebecca, while in Egypt and Gerar; but the book of Genesis does not furnish an example of its being an equal crime to commit adultery with the wife's handmaid, after she had been given in marriage to the husband. On the contrary, Reuben lay with Bilhah, the handmaid of his mother Rachel, whom she had given in marriage to Jacob; nor does any punishment or reproof immediately follow.

To avoid, however, this offence of adultery with the wife of the more solemn marriage, if the patriarch removed to the dominions of a foreign prince, it seems to have been not uncommon to murder him, for the woman thus became a widow, and ceased to be a wife; by which most horrid evasion, the letter of the law appears to have been satisfied. Murder had indeed been forbidden in the time of Noah; but this precept probably did not reach to countries which were not inhabited by his more immediate descendants; for, when Abraham apprehends being murdered in Abimelech's kingdom on account of his wife Sarah, he gives it as a reason, "that the fear of God was not in this place;" by which remark we understand that the divine law against murder, promulgated by Noah, had not been heard of, or at least was not observed, in Abimelech's country; though it is very clear that adultery with Sarah, whilst she was the wife of Abraham, would have been punished with death; and from another similar instance, that the same law prevailed in Egypt. Hence also Abimelech, when he is informed that Isaac is the husband of Rebecca, issues a proclamation for his protection.

D'Escombas was soon courted by several young men of fascinating address, and it was not long before her affections were entirely fixed on M. Monjoy, an engineer, who was equally remarkable for his gentlemanly carriage and his polite address. In the reign of Louis the Fifteenth, when this history took place, married women lived with scarcely any restraint in Paris; so much so, that it may be justly said they changed their condition from celibacy to matrimony for the reason assigned by Lady Townly in the play; to wit, to remove that restraint from their pleasures which they lay under when single. Old D'Escombas was deeply mortified to see Monjoy in such high favour with his wife; yet he did not know how to get rid of him, though he had not the least doubt that he had dishonoured his bed. On the other hand, Madame D'Escombas and Monjoy, who looked on the old man as an obstacle to their pleasures, were impatient for him to be removed; and the lover often declared, in the presence of his mistress, that he was resolved to remove the man who stood between him and the possession of calling her his own. In a word, he plainly manifested his intention of assassinating her husband, and she, by keeping the secret, yielded a tacit consent to his wicked purpose. Their design was carried out publicly as soon as they could dispatch a man who was dangerous to them both, as a spy who watched all their motions, and was under constant restraint. It was not long before Monjoy, on an opportunity he desired; he happened accidentally to sup with the mistress of his mistress, at a house not far from the Luxemburg. When supper being over, he asked D'Escombas to take a walk in the gardens that belong to it, which the old man, who hated Monjoy as much as he hated him, dared not refuse. On their return, Monjoy found some pretence or other to quarrel with D'Escombas, and as they came to the steps at the entrance of the garden, he struck his victim several blows on the back, and left him there covered with blood, which were so inflicted as to be mortal. D'Escombas had been treacherously killed. Monjoy frequently observed that murderers often rush to the punishment they have incurred by their crime; and he gave many proofs, of the correctness of his observation. He committed the barbarous act, and fled from the scene of police, whose functions are much improved by the justice of peace in England, and defended D'Escombas in his own defence. He was satisfied with his account, and was about to depart, when he was seized in great agitation, and continuing to make the commissary suspect his guilt. A view of the wounds in the back confirmed his suspicions. The assassin was taken to the city-prison of Paris; the corpse was also exposed to the public for recognition. The deceased might have an opportunity of being recognized, but Madame D'Escombas was informed of it, and, blinded by her passion, she went to the prison, and was detained upon suspicion of being an accomplice.

D'Escombas and her gallant plunged deep in

Reuben, moreover, offers to deliver up his two sons to be slain, if he does not bring back Benjamin.

This parental authority was much enforced by the father's being believed to have it in his power to confer either happiness or misery by his blessing or his curse, which were, therefore, deferred till extreme old age, the eyes of both Isaac and Jacob being so dim that they could not distinguish objects, when they pronounced their blessings on their children. The mother, however, does not appear to have had any such power, nor do we find a single instance of a daughter being either cursed or blessed.

The respect paid to the father during his life was such, that it should seem the child was not permitted to sit in his presence, from a very particular excuse which Rachel makes on the occasion; whilst Jacob swears by the *fear* of his father Isaac, i.e., by the fear he was under of his father's displeasure. Esau also declares that he will kill Jacob, when Isaac dies, and the brethren of Joseph apprehend that he will revenge himself on the death of Jacob.

The blessing or curse pronounced by the father was regarded as a prophetic vision of what was to happen, and therefore could be neither revoked nor modified; for Isaac cannot change what he had given Jacob reason to expect when his deceit is discovered; nor can Jacob be prevailed on by Joseph to put his right hand on his son Manasseh, because greater blessings were to come upon his younger brother Ephraim. It appears also from what has been stated, that the blessing was given by the father's placing his right hand upon the head of the son who was to receive it.

The parental authority was endeavoured to be supported as long as possible by the funeral honours paid to the deceased patriarch, and the hallowed character given to the place of his burial. The first purchase that we read of in the Old Testament, is that of the cave of Macpelah, in the valley of Mamre, which Abraham bought from the sons of Heth, that it might be secured to him and his descendants. The conveyance is, accordingly, made to Abraham, with all possible solemnities and accuracy in regard to the boundaries, which were delivered down to his grandson Jacob, who reminds his children of them when he is dying, and requests to be interred in the cave which had been purchased by his grandfather.

When the patriarch dies, the expression used is, that he was *gathered unto his people*, with which Montanus's literal version from the Hebrew agrees, it being rendered thus; *Collectus est ad populos suos*. But the original text of the Septuagint does not warrant either the English or the Latin translation. It runs thus: *προσέτεθη προς τον λαον αυτον*: which we translate; The corpse was produced before his people. This is the first sense that Henry Stephens gives this verb, citing Herodian, with regard to the funeral of Severus. Virgil, in the beautiful episode of Nisus and Euryalus, where he paints with a master's hand the anguish of the mother of Euryalus on hearing of the death of her son, literally translates the Greek term used with regard to funerals, and thus corroborates the reading of Stephens:

..... Nec te tua funera mater
Produxi, pressive oculos, aut vulnera lavi.

l. 9, v. 488.

Statius, in the *Thebaid*, imitates the example of Virgil.

..... Et puerile feretrum
Produxi

To this evidence it may be added, that the expression of being *gathered* to his people, is only applied to the death of Abraham, Isaac and Jacob ; from whence it may be fairly inferred that the honour of *producing* the body, and weeping over it in public, was paid only to the head of the patriarchal family. Perhaps Abraham might have introduced these funeral solemnities after he had been in Egypt.

Ishmael, indeed, is said to have been *gathered to his people*, in our version of Genesis, xxv. 17 : but the Septuagint reads thus : *προς το γένος*, and not *προς τον λαον αυτου* ; that is to say, the Greek words mean "to his family" and not to his people ; it should seem, therefore, that his corpse was only lamented over by his kindred and relations, and that the mourning was private, and not public as in the cases of Abraham, Isaac, and Jacob. If we consider, however, the term *γένος* to be used in as extensive a sense as *λαος*, it must be recollected that Ishmael, on the death of Abraham, was the head of the patriarchal family.

We shall now endeavour to show that this is the true sense of the text from the particulars which are stated both as to the funeral of Sarah and Jacob ; for, as to those of Abraham and Isaac, it is only mentioned that they were gathered unto their people, and buried. We shall begin, however, with the last instance, to wit, that of Jacob, because the ceremonies used at the burial of Sarah will then be better understood.

Jacob, in his last agonies, is said to raise his feet *upon the bed* and therefore lay in such an attitude that his corpse might be *produced to his people*, according to our translation of the passage ; immediately after which, Joseph falls upon his father's face, weeping and kissing it ; which, with other public lamentations, continued, as we apprehend, till the corpse was buried. This last particular may be fairly inferred from different passages which relate to the funeral of Sarah.

Sarah died at some distance from where Abraham happened to be, who therefore comes to mourn and weep for her before she is interred, and addresses the sons of Heth, *the body of his wife lying before him* : and Abraham stood up "from before his dead, and spake unto the sons of Heth." In the next verse he says, "give me a burying place that I may bury my dead *out of my sight*." All these circumstances support the opinion we have attempted to establish, that the true reading of the Septuagint is "produced," not "gathered."

SCHILLER'S WILLIAM TELL.

(Continued.)

THE landscape changes—a hollow rattling sound is heard from the mountains—
shadows of heavy clouds flit across the scene.

RUODI, the Fisherman—WERNI, the Huntsman—and KUONI, the Shepherd.

RUODI.

Bestir thee, Jemmy—quick, draw up the boat.
The grey-topped Thalvogt comes, deep roars the Firn,
The Mytenstein is putting on his cap,
And from the Wetterloch the wind blows keenly ;
Methinks the storm is nearer than we wot.

KUONI.

'Twill rain soon, ferryman. Watch scrapes the ground
And eagerly my sheep crop up the grass.

WERNI.

The fish are leaping, and the water-fowl
Is diving deep. A tempest is at hand.

RUODI.

See, who comes yonder hurrying with such speed ?

CONRAD BAUMGARTEN. (*rushing in breathlessly*)
For Heaven's sake, ferryman, your boat—your boat !

RUODI.

Softly, good friend, first, why such haste ?

BAUMGARTEN.

Unmoor her !

You'll save my life—O bear me but across !

KUONI.

What is it thus alarms you, countryman ?

BAUMGARTEN.

Haste—haste—delay not, they are close at hand !
The bailiff's troopers will be here anon,
If they o'ertake me, death will be my lot !

RUODI.

But tell us, why do they pursue you, friend ?

BAUMGARTEN.

O save me first, and I will tell you all.

WERNI.

Say what has happened—you are stained with blood ?

BAUMGARTEN.

The emperor's governor that dwells at Rossberg—

KUONI.

Are you pursued by him, by Wolfenschiessen ?

BAUMGARTEN.

He'll do no further mischief—I have killed him !

All. (*starting*)

Protect us, gracious God, what have ye done ?

BAUMGARTEN.

What every free man would in such a case.—
As master of my house, I exercised
My right upon the wretch that would have sullied
The honor of its mistress and my own.

KUONI.

And did the governor effect his purpose ?

BAUMGARTEN.

That he did not achieve his base intent
I have to thank God and my trusty axe.

WERNI.

You acted well—no man can blame you for it.

KUONI.

The savage ruffian ! *he* has *his* reward,—
Long hath he earned it at the people's hands.

BAUMGARTEN.

The deed is spread abroad—I am pursued—
God, perhaps even now my chance of safety's lost !

(*thunder*)

KUONI.

Quick, ferryman, convey this good man over.

RUODI.

Impossible!—A heavy storm approaches—
Wait till it hath subsided.

BAUMGARTEN.

Sacred Heaven,

I cannot wait—delay is certain death!

KUONI. (*to the fisherman*)

Cross in God's name! our neighbour claims our aid:
The same ere long may happen to us all.

RUODI.

(*Thunder and deafening tumult.*)

The Fohn's let loose—you see how high the lake swells—
I cannot steer against the storm and billows.

BAUMGARTEN. (*enclasping the ferryman's knees*)

May Heaven help you as you compassionate me!

WERNI.

A life's at stake, have pity, ferryman;—
He is a father with a wife and children.

(*Repeated peals of thunder.*)

RUODI.

And I too have a life to lose. Like him
I have at home a wife and children—look ye yonder
How the surf foams, the roaring billows heave,
And from the deep the whirling waves are tossed:—
Right gladly would I save this honest man,
But 'tis impossible—yourselves are witness.

BAUMGARTEN. (*still on his knees*)

Must I then fall into my foe's dire hands,
Within my view the neighbouring shore of safety?
Yonder it lies—my longing eyes can reach it,
The sound my voice sends forth can there be heard;—
Here lies the boat that *could* bear me across,
And yet I'm left to writhe here in despair.

KUONI.

See, who comes here?

WERNI.

'Tis worthy Tell of Burglein.

TELL.

Who is the hapless man that craves your aid here?

KUONI.

He's from Alzelle, and in the just defence
Of his fair honor he hath slain the bailiff,
Fell Wolfenschiesen, Rosenberg's tyrant lord.
The governor's troopers are in close pursuit;
He's suing for a passage o'er the lake,
The boatman dreads the storm, and will not grant it.

RUODI.

There's Tell,—he too knows how to guide the helm;
Am I to rush into the jaws of death?
'Twere more than madness now to brave the storm.

TELL.

The good and brave think of themselves the last;
Rely on God and succour the oppressed.

RUODI.

In a safe port 'tis easy to advise;
Here is the boat, and there the lake—attempt it.

TELL.

The lake may take compassion, not the governor.
Come, venture, ferryman.

THE SHEPHERDS AND HUNSMEN.

O save him, save him !

RUODI.

And if it were my brother or my dearest child
I would not : 'tis St. Simon and St. Jude to-day,
The lake will chafe until it hath its victim.

TELL.

Here nothing can be done with empty words ;—
Say, ferryman, will you risk the passage ?

RUODI.

No, not I.

TELL.

In God's name, then, give me the boat ! I'll see
What my weak strength will do against the storm.

KUONI.

Ha, gallant Tell !

BAUMGARTEN.

My angel, my deliverer !

TELL.

I perhaps may shield you from the governor's power ;
But from the storm Another's arm must save you.
I'd rather fall into the hands of God
Than into man's.

(to the shepherd)

My friend, if Heaven decree
That I should ne'er return, console my wife ;—
I have but done what I could not avoid.

KUONI. *(to the fisherman)*

You are a master in your calling, yet
What Tell hath ventured you dared not attempt.

KUODI.

Far better men than I fall short of Tell :
There are not two like him amongst the mountains.

WERNI. *(ascends the rock)*

He's pushing off ! God speed thee, gallant steersman !
See how the skiff is reeling on the billows.

KUONI.

The waves roll o'er her—she hath disappeared—
Ha, no ! she's there again ! How manfully
The dauntless fellow works her through the surge.

WERNI.

The governor's troopers at their utmost speed !
(A troop of Landenberger horsemen appear.)

FIRST TROOPER.

Give up the murderer whom ye have concealed.

SECOND TROOPER.

This way he came, in vain ye seek to screen him.

RUODI and KUONI.

Whom seek ye, horsemen ?

FIRST TROOPER. *(describes the boat at a distance)*

Ha ! what do I see ?

WERRI. (*on the rock*)

Seek ye the man in yonder boat?— Ride on!
If ye spur briskly forwards, ye'll o'ertake him.

SECOND TROOPER.

Accursed, he has escaped!

FIRST TROOPER. (*to the shepherd and fisherman*)

You've aided his escape,
And you shall suffer for it. Slay their flocks!
Tear down their huts, burn, kill, lay waste, and plunder.

SHEPHERD BOY. (*rushing after them*)

O my poor lambskins!

KUONI. (*following*)

Wo to me, my flock!

RUODI. (*wringing his hands*)

The heartless miscreants! Just and righteous Heaven,
When will the deliverer of this land appear?

J. D. PIERCEY.

(*To be continued.*)

THE ROMAN DE ROU.—No. 7.

(Continued from page 160.)

RICHARD the Second succeeded his father, Richard Sans Peur, in the ducal throne of Normandy, in 996. This, certainly, is the true date of his accession, notwithstanding the contradictory assertion of Dudon, who fixes the death of Richard the First in 1002, while others refer it to the year 998. We have already had occasion to notice the inaccuracy of Dudon, both as to facts and dates, and as we have now arrived at that portion of Norman history, at which his chronicle ceases, in taking leave of this old writer, we caution our younger readers to place little confidence in any of his statements, unless they are corroborated by other testimony.

Richard the Second has received the glorious title of the "*Good*," and his conduct, during a reign of thirty years, in which he displayed courage, justice, benevolence, and piety, vindicate his pretensions to the appellation. In 1001, he prevailed, after much entreaty on the *blessed* William of Dijon, as the old authors style him, to establish himself at Fecamp, in Normandy, when the duke endowed the abbey with extensive lands, and decorated the interior with many valuable presents. Wace also tells us that Richard selected all the officers of his household from the aristocracy, his senechal, his marshal, his butler, his steward, his chamberlain, and his usher. But this is not correct, and our poet is contradicted in this fact by William of Jumieges. Richard confided the chief management of affairs to Count Raoul, his uncle, who was the son of a common farmer of the ducal mills. William of Jumieges thus speaks of the father of Raoul: *Hic licet in rebus locuples, tamen molendina vallis Ruellii ad firmam solitus erat tenere.*

At the commencement of the reign of Richard, a general insubordination broke out among the peasantry, and, as they had common grievances, they united together to obtain redress, and bound themselves by an oath not to separate before they had accomplished their object. The causes of this revolt, as assigned by Wace, were the rigorous exactions of the barons, and the vexations suffered by the people in harassing lawsuits, which, from the following passage, seem to have multiplied to a fearful extent:

Ne poent une heure avoir paiz. (1)
 Tuz en jur sunt sèmuns de plaiz.
 Plaiz de forez, plaiz de moneies,
 Plaiz de purprises, plaiz de veles (2)
 Plaiz de biés, (3) plaiz de moutes, (4)
 Plaiz de fautez, (5) plaiz de toutes.

Vers. 6008.

The peasants also complained that the lords prevented them from hunting and fishing, excluding them from the woods, lest they should kill deer: in short, a modern game law was established. The news of this disaffection reached the ears of Richard, and Wace tells us that the intelligence received clearly announced the definite object of the revolt. He expresses himself thus:—

Assez tost oï Richard dire.
 Ke vilains *cumune* faseint,
 Et ses dreitures li toldreint. (6)

Vers. 6073.

On this curious passage, we are induced to make some rather lengthy remarks. To those who only relish light reading, we are well aware that they will be dull and insipid; but we trust that they will not be unacceptable to the historical student, who delights in tracing back political institutions to their cradle; for he will here find the infant form of those municipal corporations which are considered to be a novel creation of modern Whig legislators.

Let us first attend to the terms made use of by Wace, cited above in italics.—*Faire cumune*; *la cumune remest à tant*. What does this language denote? It will appear that the words admit of a much more extensive signification than has hitherto been suspected, and that they apply to the organized association of the poorer classes, against the usurpations of the richer classes, both among the inhabitants of towns and the rural population. We must not, however, conclude that the idea "*faire cumune*," to establish bodies corporate, was popularly entertained before the end of the tenth century; for Wace, by an anachronism, very common in the middle ages, has antedated these institutions, and given them a colouring which belongs to a later age.

We must proceed, however, to the substance of our enquiry. We agree with Basnage, that towns, boroughs, and even villages, existed in Normandy before the reign of Richard the Second, which possessed independent rights and privileges, and which gave birth to allodial and burgage tenure, as it is explained in the "*Vieil Coutumier*," titles 28 and 31, and in the amended "*Coutumier*," articles 102 and 138. We shall pause to explain the signification of the terms, allodial and burgage tenure.

"Allodium," in a strict legal sense, is the opposite to "*feodum*." The former meant property in the highest degree, free from any rent, servitude, drawback or contingency whatever; the owner was said to have, *plenum et directum dominium*, full and immediate ownership. Such was the law in England among the Anglo-Saxons, but, after the conquest, the feudal tenure was introduced, which abolished allodial proprietorship, and by a fiction of law, vested all the land of the country immediately in the king. From this time, no subject, not even the first baron in the realm, held independent property: he had only the usufruct, but not the

(1) D'audiences, d'assignations. (2) De chemins. (3) Plaids de biefs. A "*bief*" was a canal or reservoir, which furnished water to turn the wheel of a mill.—In English, we should translate "*bief*," a "*mill-dam*." The manorial mills belonged to the lords of fiefs, and the keeping the mill-dams in order was one of the servitudes incident to feudal tenure. (4) De mouture, the fee paid to the lord, for grinding corn. (5) De féauté, d'hommage. (6) Lui enlevèrent.

absolute possession : or, as Sir Edward Coke says, he had *dominium utile*, but not *dominium directum* ; i. e., the *useful*, but not the *direct* ownership.

Tenure in burgage, or burgage tenure, according to Blackstone, is where houses, or lands, which were formerly the site of houses, in an ancient borough, are held of some lord in common socage, by a certain established rent. Glanvil and Littleton identify tenure in burgage with tenure in socage ; which, they say, exists where the king or other person is lord of an ancient borough, in which the tenements are held by a rent certain. The essential character of this holding, therefore, is the certainty of the conditions of the tenure ; the rent being defined, and not fluctuating.

With reference to Normandy, Basnage is of opinion that allodial tenures obtained before the cession of Neustria to the Northmen, by Charles the Simple, and that they derived their privilege from agreed compositions, paid by several of the old towns. He thinks that such towns had ransomed themselves from any contingency of being pillaged by money, and that they were guaranteed in the secure possession of their houses *proprietary* in contradistinction to *beneficially*, because benefices, as they were formerly termed, were confined to landed estates. The burgage tenure, in Normandy as well as in England, differed from allodial tenure, inasmuch as the former recognized dependence on a superior ; nor was property situate on such lands deemed immoveable. *In tenuris autem per Burgagium sciendum est, quod possunt vendi et emi, ut mobile.* "Vetus Consuetudo," title 31. Consequently, burgage tenure estates were not liable to the "treizième" which succeeded the "congé," or licence of the lord to alienate, nor to reliefs, nor to wardships, nor homage, &c. ; but simply to the payment of a rent, fixed and certain, as acknowledgment of tenancy. Brothers and sisters shared alike, and wives had one half of that species of property called "*conquêts*," acquired during marriage by their husbands.* Jumieges, in Normandy, is a proof of the existence of allodial tenure at an early date, for William Longsword gave it to the abbey of that name, after having purchased it of the owners, as attested by William of Jumieges, c. 8. b. 3, and by Walsingham, in his Ypodigma Neustria : "*Abbati locum tradidit cum totâ villâ quam à lodariis auro redemit.*"

Were the charters which established these corporate privileges in the twelfth century a new right, granted by the sovereign ? Or, were they not, rather, the recognition and ratification of an old right ? We read in all of them : *Major et Scabini habebunt placita de hæreditatibus atque catallis.* If they had complete jurisdiction over the heritable and moveable property situate within their towns, why does the charter of the town and liberties of Rouen contain the following reservations ? *Salvo jure, salvis curiis dominorum qui ibi terras habuerint !* Why did all these charters terminate with these words : *Salvo jure nostro et alieno, et salvo jure ecclesiarum nostrarum ?* These reservations would be idle words, unless we conclude that the sovereign never intended to invade rights precedently acquired, but simply to grant to persons holding property on allodial district, the means of preserving and transmitting such property, without having recourse to the arm of the feudal law.

Before the establishment of "tabellions," or notaries, which does not

* For an explanation of the law terms, "*propres, acquêts, et conquêts*," the reader is referred to page 123 of our second volume, under the article, "On the law of real property in Guernsey."

date earlier than the thirteenth century, various modes existed for the transfer of immoveable property. Richard the Second made use of the transfer by the "verge" or rod, of which the Salic law speaks, title 49, and also André Duchesne, in the *Addimenta ad Hist: Normanniæ*, page 317. Written deeds were frequent, particularly where property was conveyed to the churches and other religious houses, for to legalize such transactions the consent of the lords and the sovereign was required. Ordericus Vitalis mentions numerous examples of this usage which prevailed in his time, and his statements prove the existence of the feudal system and of the indispensable necessity of obtaining the licence or "congé" of the lord of the fief. We may remark in the written deeds of the sovereigns, collected by Mabillon, Martène, Dacheri, Dumoustier and others, a great variety of properties acquired by no other solemnity than the "congé" of the lords of the fief. In them we see that William the Bastard, after the conquest of England, gave away immense demesnes, and by very different forms of title. "*Conferebantur etiam primo multa prædia nudo verbo atque scripto, vel charid, tantum cum domini gladio, vel galed, vel cornud, vel craterd, et plurima tenementa cum calcari, cum strigili, cum arcu, et nonnulla cum sagitta: sed hæc initio regni sui, posterioribus annis immutatus est iste modus.*" We read in Bracton, l. 4, c. 8 and 14, that when a vassal surrendered back to his lord lands which he had received, but which were to be conveyed to another party, that he gave back the verge or stick presented to him, when first put into possession. If the vassal, for any crime, or dereliction in his homage, were deprived of his estate, the Salic law, tit. 48, 61, and 63, required that the stick should be broken before the court publicly, as a proof that the contract which formerly existed, was cancelled: this form of law was rendered by the Latin word, *exfusticare*, or *exfustigare*, from *festuca*, which signifies a small twig, or from *fustis*, which means a stick; whence is derived the French proverb, applied to a termination of friendship between two friends: "*Ils ont rompu leur paille,*" because from *festuca* is formed *fétu*, which signifies a rush, or straw. We detect the same traditionary mode of parlance in the homely English phrase, "He has cut his stick."

This digression has occupied so much of our space that, were we to proceed to notice the events of the reign of Richard the Second, we should be compelled to pass the limit usually assigned to the articles on the "Roman de Rou." We must, therefore, postpone the narrative to the next number. (To be continued.)

GAULTIER DE LA SALLE.—A GUERNSEY LEGEND.

THE *Ville au Roi* estate, situate in the immediate vicinity of the town of St. Peter-Port, has, at different periods in the history of this island, been possessed by many of the most distinguished inhabitants, some of whom are only known to us by tradition. The estate, at present, offers few traces of its former note; its extent has been considerably diminished, but an idea may be formed of its by gone greatness, when it is known that, in ancient times, it joined the estate called *Les Granges*, on the Catel road, for many years in the possession of the De Beauvoir family, which is now extinct. To the eye of a casual observer the appearance of the *Ville au Roi* offers nothing remarkable, but, on a closer inspection, the sculptured granite doorway, the granite spiral staircase, and other parts

of the building, which have escaped the ravages of time, would amply repay a few minutes passed in visiting and investigating them. The outhouses, mantled with ivy, are rapidly falling into decay, and the avenues, with their rows of elm and chesnut, will soon be all removed with a view of making way, if for less antique, at least far more profitable, mansions.

The story we are about to relate connected with this estate, comes from tradition, and though partaking more of romance than of history, it is notwithstanding still firmly and very generally believed.

About the commencement of the fourteenth century, the *Ville au Roi* belonged to the bailiff of this island, *Gaultier*, or as he would now be called *WALTER De La Salle*. The bailiff's neighbour, one *Massey*, a poor and honest creature, who depended mainly for his support on the produce of a small orchard, and a piece of ground which had been in possession of his family for several generations, also possessed a small house close to the residence of his more powerful neighbour, over part of whose lands he was entitled to a right of passage to a well belonging to *Gaultier*, and which gave him considerable annoyance from the necessity under which *Massey* laboured of crossing through one of his fields. This right had long been looked upon by the imperious bailiff as an odious imposition, and after having in vain endeavoured by legal measures to deprive the poor man of his right, he was not above resorting to still more cruel and infamous means to take away his life, which design he perpetrated in the following manner. One day, he took two silver cups which he secreted in one of *Massey's* wheat ricks, and then spread a report of his having been robbed, expressing at the same time very strong suspicions against *Massey*. In those days, when larceny was punished with death, and when to incur a bailiff's displeasure, after being accused of a crime, was tantamount to conviction, *Massey* was seized by the officers of justice, placed in a dungeon, and there kept, until the day of trial, in the company of thieves, and characters of a corresponding description. At the trial the court house was crowded to excess, much in the same way as would be the case at present by persons moved by different feelings. Some were doubtless drawn there to witness reparation offered to the outraged laws of their country, by the punishment of one whom they supposed guilty of robbing his lord and master; whilst others, from the excellent character hitherto borne by *Massey*, indulged a hope that his innocence would be proved to his judges, to the disgrace of his accuser, whom they strongly suspected to be moved by vindictive and revengeful feelings.

At the trial, two or three witnesses, already suborned by the mighty accuser, had given their testimony, the effects of which were visible in the countenances of the judges: one opinion pervaded the court and hearers,—that *Massey* was guilty of the crime imputed to him. A breathless silence reigned throughout the court house, when the awful sentence of death was about to be pronounced against the prisoner. Suddenly a confused noise resounded through the hall, when one of the bailiff's servants rushed in breathless, and faint from the exertions he had made to reach the court without loss of time. The attention of the audience was now directed towards him, in the anxious expectation of ascertaining the purport of his message; for some time, however, he could only articulate indistinct sounds; at last he uttered the words, "It is found, it is found," and in a few moments informed the court that, having been that morning employed in taking down one of the wheat ricks, for the purpose of re-

moving the sheaves to the barn, he and his fellow labourers had found the silver cups. No sooner were these words out of his mouth than he was interrupted by the bailiff, whose rage and vexation had so far got the better of his reason, that he unwittingly exclaimed, "Thou wretch! did I not tell thee not to touch THAT rick?" This exclamation immediately opened the eyes of the court who had now found the clue to the bailiff's machiavelism, and the jurats determined that the perjured officer and base accuser should pay the tribute of his infamy by submitting to the *les talionis*, or punishment which he had contrived for his intended victim, by the forfeiture of his own life, and, like Haman of old, they immediately condemned him, as *saisi en flagrant délit*, to be executed on the very gallows which was erected for the execution of the innocent Massey.

Gaultier De La Salle is not the only judicial character who has been made to bleed for his iniquity, and who, during this life, has been visited by the pains and penalties he reserved for others. Payet, and Lord Macclesfield are names whose crimes, to the disgrace of the profession, not only exist, like De La Salle's, in legend, but are inscribed on the pages of history, where the ministers of the law are sure one day to meet with just retribution, notwithstanding the unction with which many ere now have flattered themselves, that their black acts were all and for ever buried in oblivion. Walter, in his last moments, exhibited signs of repentance, and constantly expressed his contrition for the crime which he had meditated. He was shortly led to the place of execution, which was at that time on one of the most elevated spots in the island, in St. Andrew's parish. On the way thither he partook of the sacrament, and the spot at which this pious act was performed is distinguished by a granite stone representing the figure of a cross; the road has also since then been known by the name of the "bailiff's cross." A field, forming part of the *Ville au Roi* estate, is to this time called *le courtil Massey*, and there are persons now living who can point out the spot on which his house stood, every vestige of which was destroyed about forty years ago.

The *Ville au Roi* estate is still liable to a feudal incident. Whenever the Cour St. Michel holds a *chevauchée*, the proprietor is bound to furnish the *pions*, or esquires, with sweet milk. In 1825, when the procession took place, the members made a general halt, when arrived opposite the estate, and milk was abundantly served out in a large silver cup.

The *Ville au Roi*, or King's Town, at present belongs to Messrs. John Thomas De Sausmarez, and Thomas Le Retilley. S. M.

L'AVAL DE ST. PIERRE.

A TALE.

*Nescio quid natale solum dulcedine mentem
Tangit —*

PART II.

BUT as years down time's current sail,
Changed were their earlier joys, and gone,
Though still they trod that fairy vale,
Or paced at eve the sea-shore lone.

NOW slow their pensive way they wound,
Gone was the free and froward air,—
The wily dart their hearts had found,
And sighs confessed the power there.

ACROSS their breasts strange feelings came,
Betwixt them bashful glances stole,—
Theirs was the diffidence of shame,
The burning blush that spoke the soul.

Their love proved as the mighty tide,—
The monarch flood of western streams,
That where the distant mountains hide
His source, a playful riv'let seems.

ON its calm breast the forests cast
Unbroken shadows for a time,
Till the broad current rushes past
Columbia's mart of wealth and crime.

THEN on the sweeping waters rave,
And darting, flashing, fiercely roar.
Their speed no human force can brave,
And man sinks there to rise no more.

Now had they reached that dubious age,
The bright confines of golden youth,
That spins each past, each future stage,
And yet partakes the joys of both.

Placed thus, like natives of these isles,
In whose veins rival currents beat,
Where Albyn's strength, and France's smiles,
Where climes opposed, and nations meet.

Pain would I bid fair Mary's form,
Along my rugged verse to shine,
Ah me! the Muse reserves that charm,
To grace far other lays than mine.

The flower of the vale was she,—
A lily with the roses hue,
And he the stateliest sapling tree,
O'er which the western breezes flow.

Alas! that ne'er its leafy boughs
Shall shade and screen that flower so fair:
And oh! too soft that floweret grows
For agony's whirlwinds to tear.

It was the time the setting sun,
Empurpled Lihou's southern shore,
Mourning for summer's brightness gone,
Like age, its pristine vigour o'er.

When the last cluster of the grape,
Hung, drooping, from the blasted vine,
And winds scoured o'er the seared landscape,
As restless passions through the mind.

The scene,—the time,—the loveliness,
That o'er expiring nature stole—
All harmonized to impress
A tinge of sadness on the soul.

And up the vale, the pair had strayed,
She watched,—she watched, with anxious
For Robert's brow a gloom displayed, [gaze;
Ideal sorrow ne'er could raise.

They sat them where the elm and oak
Waved hoarsely o'er the silent dead,
And there the maid her fears bespoke,
And sobbed the youth, as thus he said:—

Alas! why wilt thou seek to hear
An anguish thou could'st not divine:
Cease, cease, nor search into my woe,
Some happy hours might still be thine.

Oh! list the summer birds are singing
So merrily on the yellow trees,
All heedless how, his hoar veil flinging,
Fell winter will upon them seize.

What'er thy hidden cause of woe,
Though death, she cried, thy fate should be,

That fate, that secret, I will know:
Have I not shared thy joys with thee?

Why rush thou blindly—now—'tis so,
That dreadful time will soon arrive;
Ah me! how shall I ever go,
And leave thee thus behind,—and live?

My father, need I tell thee more?
Mary, thy guardian so unkind,
Now bids me seek some distant shore,
Where gold—his idol—I might find.

In vain I argued: he became
All—but a child can never show—
His threats, his arguments o'ercame,—
I yielded to his rage and—Oh!

His eye, distracted, failed to view
The changing features of the maid,
As, shifting like the rainbow's hue,
Surprise and grief alternate away.

But, when that doom she heard him speak,
That broke so many a magic spell,
A death-like paleness crossed her cheek,
And, shrieking, at his feet she fell.

What shall the hapless pair avail
In that sepulchral solitude?
One, fallen, senseless, stiff, and pale,
And one with reason scarce endued.

The evening breeze, the chilly dews,
Again revive the fluttering maid;
Their balmy freshness round effuse, [glade.
And soothe them homeward through the

In vain, against the stern command,
Poor Mary pleaded with her tears,
As well might she with daring hand,
Have sought in heaven to turn the spheres.

As when our beaming orient skies,
At once a gloomy haze extends,
And murky clouds confus'dly rise,
And dark, and darker night descends.

Now darts the lightnings vivid flash.
Along the whirlwind's sable waves:
Floods over prostrate plains that dash
And thus the appointed monsoon raves.

E'en thus upon their moon serene,
The fatal passion tempest broke.
Wild bursts of anguish close the scene,
Nor hissed in vain the levin stroke.

Misguided father! it was thine,
The unconscious hand that laid them low,
And drooping, as the wounded vine,
When all its swelling juices flow.

HISTORICAL NOTICES OF THE CHANNEL ISLANDS.—No. 8.

(Continued from page 168.)

On the 2nd of February, 1649, when Peter Carey was in court, discharging his judicial duties as lieutenant bailiff, Henry De La Marche made his appearance, bearing a paper in his hand, which he delivered to Mr. Carey. It proved to be an order from the governor, Colonel Coxe, commanding the lieutenant bailiff to convene a meeting of the States. The following is a copy:

"Whereas divers of the inhabitants of this isle have desired an assembly of the States, upon several businesses of concernment for the good of this island, I therefore desire you to give notice thereof, and to send *billets* to the constables of the several parishes, that that assembly be held in the town church, at ten of the

clock in the morning, on Monday next. (Signed) Alban Coxe, governor. Addressed to Mr. Peter Carey, lieutenant-bailiff of the island of Guernsey. Dated, 2nd February, 1649."

Mr. Carey immediately prepared the notices of convocation, and forwarded them to the constables. Brooding over the affront he had received on the 28th of January, the day of Chief Pleas, when Dobrée and De La Marche impeached him, as stated in our last number, he deemed it expedient and necessary for the vindication of his character and his honour, to avail himself of the opportunity afforded by the convention of the States to prove his innocence; though, indeed, his reply to the impeachment must have satisfied every impartial man, living at that time, of his straightforward rectitude, as it satisfies the writer of these notices, who cannot have any bias or prejudice as to the local politics of Guernsey nearly two centuries ago. Impressed with this feeling, Mr. Carey drew up ten statements, and distributed one of them in each of the parishes, requesting them to be read on Sunday, the 3rd of February, after divine service, in the presence of the respective congregations; and he also directed that, after this public announcement by the rector, the documents should be posted on the church doors during the whole of the day, both of which notifications were carried into effect. The following is a verbatim translation of these declarations:

"Peter Carey, lieutenant-bailiff, and one of the jurats of the Royal Court, having been on Monday last, at the meeting of the Chief Pleas, grossly calumniated and vilified before the whole audience by a certain document presented by Thomas Dobrée and Henry De La Marche, which was read in the presence of the governor, and the whole assembly. Knowing with what integrity and clear conscience he has discharged the official duties of the several public situations to which he has been lawfully appointed, during a period of more than twenty years, as receiver, sheriff, senechal, jurat, and lieutenant-bailiff, he is obliged, in his own justification, uninfluenced by presumption or vanity, to summon, and by these presents he does summon, all the inhabitants of the island, who have any knowledge of his conduct, to declare if they have any complaint to prefer against him, either in reference to his public or private life, whether it relates to any act by him done within the bailiwick, or in his missions to the lords and commons of parliament, not excepting even the slightest pretexts for an accusation. If any such person exists, he will be pleased to attend, on next Monday, at the meeting of the States, in this town, and bring forward his complaints, for which the said Carey holds himself responsible to make out a justification satisfactory to the parliament, or forfeit his honour and his life. (Signed) Peter Carey."

Besides the publication of this challenge, which was read in the town church, where the States meetings were at that time held, Mr. Carey caused his printed statement to remain posted on the walls of the church during the whole of Monday till night-fall, so that every person, who was drawn to that quarter, in consequence of the convocation of the legislative assembly, might take a copy of its contents. As soon as the members had arrived, and prayers had been read, Mr. Carey called on his accusers to prefer their charges; on which, Mr. Henry De La Marche rose, and presented a paper to the governor, which contained a repetition of the articles of impeachment, signed by himself and Mr. Thomas Dobrée. It contained also a new charge, to wit, that Carey had presented a letter, which he intended to forward to parliament, for the signature of the jurats alone, proposing to make the parliament believe that it was the signature of the States. Finally, De La Marche desired that the meeting would deliberate upon certain propositions which he had to submit, tending to promote the public welfare. The paper having been read, it turned out, on examination, that it was not

signed; on which Mr. Carey observed, that the person who had presented it, ought to affix his seal, in evidence of its being his own act; which De La Marche immediately did. Carey then demanded that the public challenge he had given to his accusers should be read, both in French and English, in a clear and distinct voice, so that it might be well understood by the whole of the audience. This being done, he asked for a patient hearing, and the same uninterrupted attention, as that which De La Marche had received in presenting his accusation. But, it appears, that he did not receive fair play, the strength of his opponents' lungs being brought into collision with the strength of his arguments. Nevertheless, some intervals of silence were obtained in the general clamour, and Carey took advantage of them to read his defence to the public. He commenced by expressing the gratification he felt in having such an opportunity of proving his innocence, and rebutting the false calumnies by which he had been assailed, more especially as he now appeared before persons to whom he had been personally known for upwards of twenty years. He then entered into the details of his justification, beginning with the first article of the impeachment, which related to the number of his relations on the bench. He went through the whole triumphantly, and not a voice was heard in condemnation. The governor, however, proposed the following question, to which the majority of those present answered in the affirmative:

"Would it not be advisable to petition parliament to order that, for the future, a father and son, two brothers, or an uncle and nephew, should be ineligible to sit together on the judicial bench?"

Each member of the States gave his opinion individually on this proposition, and it was decided, by a plurality of votes, to petition parliament to pass a law providing and enacting, that no two persons, in the above-named degree of relationship, should be capable of holding the office of jurat at the same time, without prejudice to the rights of those actually in office. Several, however, contended that no alteration was required, and wished to preserve the ancient forms of election, arguing, and certainly with reason, that since the electors had the right of choosing whom they pleased, it would be their own fault if they nominated two jurats within the objectionable degrees of relationship. Some few desired that the petition should be so worded, as to affect the rights of the sitting members. The question, however, being settled by the majority of votes, and the morning being nearly spent in this discussion, Mr. Carey could not proceed to other points of his justification, in reference to the articles of impeachment. He, therefore, brought up the additional charge preferred against him by De La Marche at the opening of the meeting, and insisted on being allowed to answer it immediately. This permission was granted, when he produced the letter alluded to by De La Marche, of which the following is an exact copy:

"Right honourables. Your lordships having eminently favoured this island in divers late gracious dispensations, we acknowledge them with great thankfulness; but such is our condition towards your honours, that, with the same breath where-with we give you thanks for the former, we must crave new benefits; and this in particular, that your lordships may please to present our humble desires of being truly thankful to the high court of parliament, for their fatherly affection, incessant care, and gracious providence towards us; whereof we are so truly sensible, that we account our lives and estates less than our obligations. Especially, we

most humbly thank their honours for the appointment and mission of so worthy a governor, as is the honourable Colonel Coxe unto us, a gentleman of whose wisdom, fidelity, and diligence, we are so well assured of from what we have already found in him, that we have cause to bless God, and devote ourselves more and more to the parliament. And indeed we labour in that devotion, every one of us, bailiff and jurats, yea, every one of your people in this island, who is able, having newly, at the instance of the governor, signed the engagement he prepared; and we are resolved to observe it inviolately to our utmost power. And in all other particulars, our work will be to see their honours' commands punctually obeyed, justice duly administered, and our honourable governor encouraged in all his proceedings, the ends of which are to the safety and welfare of this island, the importance of which place is best known to your lordships. But our poverty has forced us, with all humility, to pray your honours to mediate, in our behalf, with the parliament and council of state, that they may be graciously pleased to provide for the payment of the soldiers sent hither, as they have heretofore done, that the island, which is not able to sustain this burthen, may not be charged with it; and further, as we continue loyal and submissive under their authority, our humble suit is to be maintained by them in the fruition of our just privileges and liberties, in regard to the administration of justice, and the exercise of our several charges, as also in regard to our franchises and immunities, whereof we shall humbly desire, (as well as endeavour to deserve,) the preservation and enlargement, by our dutiful obedience.

"Let the evidences we have already enjoyed of your favours, plead our excuse for this great interruption, and your lordships' condescending to our humble desires in the premises will oblige us to a perpetual thankfulness."

The reading of this letter was followed by the loud applause of the assembly, and completely unmasked the baseness of the calumny uttered by De La Marche. He vainly attempted to put his own construction on the letter, but none were the dupes of the sophism. The blackness of his character was now known, and not one of his partizans stood forward in his defence. Thomas Dobrée, however, began an attack on James Le Marchant, jurat, who cut him short by accusing Dobrée of treason, in having plotted to give up the island to the royalists. After these broils had ceased, Mr. Carey proposed to the meeting to elect a receiver or treasurer for the States, empowered to collect the public rates, which was approved of, and carried into effect. The persons nominated on this occasion were John Le Mesurier, for the town parish; Nicolas de Garis, of St. Martin, Monsieur des Eperons, and Nicolas Guille, of St. Martin, for the country parishes. They were elected by a majority of votes. The meeting then broke up, and the people retired, Mr. Carey remaining the last, to answer any complaint that might be brought against him; but no man accused him. On this trying event, and his complete exculpation, he makes the following remarks, which we shall give in the words of his own manuscript, now before us:

"Ce que je ne dis pas par vanterie; car, comme dit St. Paul, pour tout cela, je ne me suis point justifié, mais j'ai au ciel Celui qui me justifie. Je laisse ceci à ma postérité, afin que si Dieu les appelle en charges publiques, qu'ils prennent soin de s'en acquitter, comme en la présence de Dieu, gardant toujours bonne conscience devant lui, et les hommes. Ce que je prie Dieu de nous faire la grâce. Ainsi soit il."

The sympathies of the public were now warmly enlisted in favour of Carey, and the following declarations were drawn up and attested in vindication of his innocence:

"We, the undersigned, members of the States of this island of Guernsey, and others the inhabitants of the same, were present at the meeting of the States, held in the town of St. Peter-Port, on the 4th of February, 1649. We certify and attest for truth, that Mr. Peter Carey published, in all the parishes of the island, as we have been informed, on Sunday, the 3rd day of this current month, after the close of divine worship, the following declaration. (We have already given

the declaration here alluded to.) In the meeting of the States, we certify and attest the said Carey was present, from the beginning to the close of the sitting, and that no one supported *Dobrée* or *De La Marche* in justifying the articles of their impeachment; and that no person preferred any complaint against, or imputed any blame to, the said Carey. And we, moreover, certify and attest, that the said declaration was posted outside the town church of St. Peter-Port, in which the States meetings are held, in the sight of every person, during the whole of Sunday and Monday, till the evening, so that every one who pleased, might make himself acquainted with the contents. Done this 11th day of February, 1649.

(Here follow the signatures.)

JURATS.

James Guille,
John Blondel,
Thomas Carey,

Michel De Sausmarez,
John Fautrart,
John Brehaut.

RECTORS.

John Perchard,
Daniel Fautrart,
Arthur Morehead,
Nicholas Noé,

Thomas Le Marchant,
John Bouillon,
Daniel Perchard,
Jacob de l'Epine,

Thomas Carey, Seigneur de Blanchelande, *douzainier*.

James Guille, jun.
John Perchard, jun.

Eleazar Le Marchant,
Isaac Gibaut, *contrôle*,
Thomas Tramaillier, *advocate*,
Thomas De Rozel, *douzainier*,
John Fautrart, *du Bosq*.

John Du Port, *douzainier*,
John Ozanne, jun.

John Hallouvis, *douzainier*,
Peter Painsec, *advocate*,

Thom s Naftel, *douzainier*,
James Ollivier,

Thomas De Jersey, *constable*,
John Briart,

Nicholas De Garis, *douzainier*
Colas Corbin, *douzainier*,

David Naftel, *douzainier*.

Peter Jouanne, *douzainier*,
Francis Robin, *constable*,

Abraham Quertier, *constable*,
Richard Robin, *constable*."

The next document was evidently drawn up to prove, that the notice of Mr. Carey had been read in all the country churches, and posted on the doors.

"We, the undersigned, certify and attest for truth that, on Sunday, the 3d day of this current month of February, 1649, we read, after the termination of divine service, each of us before our respective congregations, the statement of Mr. Peter Carey, in which he summoned all the inhabitants to answer, if any one had any charge to prefer against him, as to the mode in which he had discharged his duty, as an officer of the Royal Court, and also as a magistrate, in whatever concerned his proceedings before parliament. Carey called on any one who complained of him, to find himself at the meeting of the States; and there bring forward his charges and his proofs, when Carey would be present, and prepared to answer, as is more amply set forth in his public declaration. After having read the same, we affixed it to the doors of our respective churches, so that every one might know its tenour and contents. Done this 12th day of February, 1649. (Signed,)

John Tupper, for the Town.

John Brehaut, for St. Peter.

John Hallouvis, for St. Sampson.

Colas Jehan, for Torteval.

Peter Bougourd, for the Vale.

John Robert, for the Forest.

John Allez, for the Câtel.

Heller Robert, for St. Martin.

Stephen Gavet, for St. Saviour.

Thomas Naftel, for St. Andrew."

The next certificate leads us to conclude that some rumours had been circulated, reflecting on Mr. Carey's conduct in pecuniary matters, though we do not find among his papers any allusion to a charge of this kind; still we can assign no other motive for the publication of the following:

"I, the undersigned, James Bouillon, of the town of St. Peter-Port, Guernsey, certify to all persons that, in the mercantile transactions which have passed between Mr. Peter Carey and myself, at present a jurat of this Island, and Lieutenant to the baillif, in which matters of business I have frequently had occasion to employ his

services, both when he was sheriff, and sheriff substitute, I have always found him an honest man, virtuous, upright, and diligent, faithfully discharging the duties of his office, whenever I have employed him, and in all other matters of which I have any knowledge; and, so far as my knowledge goes, he has most honourably discharged the duties of his respective offices, those of senechal of the court of the Vale, and those of jurat and lieutenant-bailiff in the superior court; and this is all that I know, or that I have to say on the subject, in reference to the document published by the said Peter Carey, in which he challenges any one to impeach the rectitude of his conduct, whether in public or private life." *(To be continued.)*

VARIORUM ADDENDA TO THE HISTORICAL NOTICES.

No. 3.

Prerogative of the Royal Court.—"To all who may hear or see these presents, John Blondel, bailiff, under our sovereign lord the King of England, in the island, we greet thee well: 'Make it known, that we, the bailiff, and the jurats hereinafter named, William Le Marchant, Thomas De Sausmarez, Thomas De La Court, Nicholas Fouachin, Michel De Rozel, William De Beauvoir, Dominique Perin, Gaultier Le Prevôt, and John Martin, jurats justiciaries in ordinary of the Royal Court of our aforesaid lord the king in the island of Guernsey, having power and authority to take cognizance of all causes, temporal, royal, and civil, and also causes in admiralty, within the said island.'

"We certify and verify to all, and to every one, to whom this may apply, that the cause or process now pending between Thomas Prequin, plaintiff, on the one part, and Massiot Massy, defendant, on the other part, is still before us undecided in our court of justice, and that no definitive sentence has yet been pronounced by us between the said parties, in a matter of fifty pieces of woollen stuffs, which the said Prequin avers that he holds, both in his own name, and for the account of other persons, to whom he declares himself agent, and which he challenges the said Massiot Massy to disprove:

"Know all men, that we, the above named bailiff and jurats, judges in ordinary as aforesaid, according to the laws and customs of the island, conferred upon, and granted to us, by royal patent of our lord the king and his noble progenitors from ancient times, whereof the memory of man runneth not to the contrary, are so empowered and clothed with judicial authority, that no cause whatever, once submitted to our jurisdiction, to be therein pleaded and adjudicated upon, can be removed by appeal or otherwise, till sentence has been finally and definitively pronounced by us, in our Royal Court of justice in this island.

"In witness of which judicial prerogative, the seal of the bailiwick of the said island of Guernsey, at the request of the said Massiot Massy, has been appended to these presents. Done in the said island in the year of grace, 1498, in the town of St. Peter-Port, on the 25th of April."

Recusation of Magistrates.—"At the court of St. James's, the 19th of May, 1709. Present the Queen's most excellent Majesty in council.

"Upon reading this day at the board a report from the right honourable the lords of the committee for the affairs of Guernsey and Jersey, in the words following, to wit: Her Majesty having been pleased, by her order in council, of the 19th of April last, to refer to this committee the humble petition of Laurence Martin and John Saumarez, of Guernsey, merchants, relative to a cause depending before the Royal Court of that island, against Michel Falla and Daniel Nastel, touching the disposal of two prizes taken by the Marlborough, privateer, of that island, wherein it happened that so many of the magistrates were recusé, as to leave only the lieutenant-bailiff and one of the jurats, whereby there was not a sufficient number remaining to hear and determine the said cause according to the laws and customs of that island, and therefore, the same was transmitted to this board:—

"Their lordships, this day, taking the matter into consideration, and having summoned the lieutenant-bailiff and four of the jurats of that island, who were in London, to consider of the most proper expedient in such cases, that there might be no stop of justice for the future, do agree upon the whole matter, humbly to report their opinion to Her Majesty; that not only in this, but in all other causes, where the parties recuse the magistracy, *there shall be at least three left to decide the cause*, and, therefore, if the recusation be likely to lessen the number of three,

then the objections of cousin germane, in such cases only, shall not be a sufficient recusation, so that justice may go on, and the cause come to a hearing to entitle the parties to appeal to Her Majesty, if they think fit. But when a full quorum can be had unrecused, then the forms and proceedings shall stand as before.

"Her Majesty, in her privy council, approving the said report, was pleased to order, as it is hereby accordingly ordered, that not only in the cause before mentioned, but in all others for the future, when the parties recuse the magistrates, there shall be at least three left to judge the cause; and, therefore, if the recusations shall be likely to lessen this number of three, then the objections of cousins germane shall not be deemed a sufficient recusation, so that justice may go on, and the cause come to a hearing to entitle the parties to appeal to Her Majesty, if they think fit. But when a full quorum can be had unrecused, then the forms and proceedings shall stand as before.

"Whereof the bailiff and jurats of Her Majesty's Royal Court of Guernsey, and all others whom it may concern, are respectively to take notice of this Her Majesty's pleasure, and govern themselves accordingly. (Signed) John Povey."

Estates in England not taxable in Guernsey.—"At the court of St. James's, the 5th of April, 1735. Present, the King's most excellent Majesty, &c.

"This order in council was sent to the Royal Court to be registered on the petition and complaint to King and council of Peter Stephens, Esq., against Nicholas Deirée, jun., and John Le Marchant, collectors of the poor in the parish of St. Peter-Port, for having demanded and received of the petitioner one hundred and twenty-one livres tournois and twelve sols, for his share of a year's tax raised on the inhabitants of that parish for the subsistence of their poor, which tax had been laid on the petitioner, not only in respect to all his estates in Guernsey, but also in respect to all his inheritance and personal estates which were in London. On the refusal of the said Peter Stephens to pay the above tax, he was proceeded against in law, and condemned to pay the same by the Royal Court, from which sentence he appealed to council.

"Their lordships proceeded this day to take the said petition and appeal into their consideration, and heard all parties therein concerned by their counsel, learned in the law, and thereupon agreed humbly to report, as their opinion, to your Majesty, that the appellant ought not to be taxed to the poor, in respect to any house, land, or other real or immovable estate lying in England, and that, therefore, the judgment be reversed, and in case the appellant has paid any costs to which he was condemned by the said sentences, that the same be restored to him.

"His Majesty this day took the said report into consideration, and was pleased, with the advice of his privy council, to approve thereof, and it is hereby ordered that the same be duly and punctually observed and complied with. Whereof the bailiff and jurats of the Royal Court of Guernsey, and all others whom it may concern, are to take notice, and govern themselves accordingly. (Signed) Temple Stanyman."

Among the records of the Court of Chancery kept in the tower of London, in the rolls of letters patent of the twenty-fourth year of the reign of king Edward the Third, M.S. 14, page 2, is contained an order for collecting a duty in the island of Guernsey, the proceeds to be applied to building a wall of circumvallation round the town of St. Peter-Port, for its better defence and security. The order is addressed to John Maltravers, His Majesty's beloved and faithful governor of his islands of Guernsey, Jersey, Serk, and Alderney.*

Relative Rank of the Regulars and the Militia.—The following is an extract of a letter received by Governor Le Mesurier, of Alderney, from Mr. Henry Goulburn, one of his Majesty's under secretaries of state:

"WHITEHALL, 8th October, 1811.—Sir, with respect to the relative rank of the regulars and the militia of the islands, I am to acquaint you that Mr. Ryder fully enters into the objections which the militia entertain of the existing arrangements

* Many of our readers may not be aware of the excessive fees demanded by the salaried clerks of the public offices for copies of national documents, for though they really belong to the people, these persons seem to consider them as a life estate, the revenues of which are their own private perquisite. We mention this fact, lest some of our subscribers should think us remiss in not having obtained it, and our apology is, that the amount of our circulation would not warrant such an outlay. Some of our millionaires may take the hint, and procure a copy of the original for our periodical.

upon the subject, and has therefore lost no time in communicating to the commander-in-chief the statements contained in your letter; and his royal highness is of opinion that all future difficulty will be obviated, while no inconvenience can arise, by considering the militia officers, when required to act with the troops of the line, as the youngest of the respective ranks; so that a regular officer will command all militia officers of the same rank, but that the superior rank of the militia will have the command of the inferior of the regular forces. As his royal highness the prince regent has been pleased to approve of this arrangement, the necessary directions for that purpose will accordingly be issued by the commander-in-chief. (Signed) Henry Goulburn."

Small Tithes for the Clergy.—"The 13th of May, 1585, before Thomas Wigmore, bailiff,—present John Blondel, Nicolas Le Mesurier, William de Beauvoir, Edward Lefevre, Thomas Le Marchant, John Andros, and Peter de Beauvoir, jurats, appeared Mr. Nicolas Effart and Mr. Thomas Millet, ministers of the Word of God, who have remonstrated that the tithe which is due to them on calves, colts, and lambs, has not been paid to them, according to the order of the governor and of the magistrates, for the last four to five years, in consequence of which a large part of their revenue has been withheld, and they have been scarcely able to live. On which it was ordered by the Court, as well for the time to come as for the time past, in which the payments remained in arrear, that there shall be paid to the ministers of this island one "Gros d'Argent" for the tithe of every calf and colt, and three "Mailles d'Argent" for every tenth lamb. And this is in accordance with the ordinances formerly passed and established by the governor and jurats, in compensation for the rights which the ministers surrendered, which belonged to them formerly for marriages, baptisms, burials, and sacraments.*

Seals of the Royal Courts of Guernsey and Jersey.—King Edward the First honoured both islands with a public seal, on each of which are represented three leopards *passant*, the ancient arms of the dukedom of Normandy, with however this difference between them. In the Guernsey arms, there is a branch of laurel, serving as a crest over the escutcheon, from which many antiquarians have inferred, that this laurel had been granted to the Guernseymen as an addition to the old coat, to commemorate and reward their services in the recapture of Mont Orgueil Castle, Jersey, under the reign of Edward the Fourth, A.D. 1460; but this conjecture is erroneous, for we find the laurel in the original grant of Edward the First, having met with it in ancient deeds, authenticated with the seal, anterior to the last date, in which the branch of laurel is represented. Had the patent given an explanation of both seals, we should have been able to trace out the particulars; but they were sent engraved with the name of each island inscribed round each respectively, which the king, no doubt, thought sufficient, unless, indeed, the distinction which is evidently in favour of Guernsey, was accounted for in the grant itself, accompanying the seal, which is unfortunately lost. However, a crest of itself denotes honour, and a laurel was seldom allowed in former times, except as a compliment for some distinguished action, and we incline to think that the laurel was given to Guernsey, to reward the courage of the natives who recaptured Castle Cornet in the reign of Henry the Third. But this is merely a conjecture.

ORDERS IN COUNCIL IN THE REIGN OF QUEEN ELIZABETH.—No. 3.

THIS order, dated Richmond, 9th October, 1580, was sent over by the lords of the council, in relation to certain causes depending before them, upon complaint of the inhabitants of Her Majesty's island of Guernsey.

"1.—Whereas complaint is made unto us that greater sums are exacted for custom of wares and merchandize upon strangers than are contained in the book of extent in the article entitled "*La Petite Coutume*;" and Sir Thomas Leighton, Her Majesty's governor, verifies in his answer, that there is none, no more custom being taken by him on stranger's goods, than was in Sir Richard Weston's time, and long before him, and by all governors since, wherewith it also appears not by

* *Quære*—How, and when, were the surplice fees revived?—*Ed.*

any record, that the inhabitants have at any time been grieved. It is ordered that the like custom, and none other, shall be from henceforth taken of the said stranger's goods, as was ordinarily paid in Sir Richard Weston's and Sir Leonard Chamberlayne's time, governors of that island.

"And for the more certain execution hereof, such book of the customs paid and received in the times of the said Sir Richard Weston and Sir Leonard Chamberlayne, as remains within the isle in the hands of the present receiver, or of such as have been in that office heretofore, or any other person, shall forthwith, or as conveniently as may be, be exhibited to the bailiff and jurats, who shall examine the same, and making an abstract of the most usual payments in the times aforesaid, shall deliver one copy thereof to Sir Thomas Leighton, and send another copy thereof to us, the lords of Her Majesty's privy council, to receive such further order thereon as shall be advised. The same is ordered for payment of anchorage, that no other rate be taken, than was ordinarily taken in the times of the aforesaid governors.

"2.—Whereas they complain that they are restrained from appeals. It is ordered that it shall be lawful for any inhabitant of that isle, and all others finding themselves aggrieved by any judicial decree, sentence, or judgment, made and given by the bailiff and jurats of that isle, to appeal from the same to Her Majesty and the lords of her privy council, so as the same may be made at the time of such decree, sentence, or judgment, or within fifteen days after notice of the same:

"Provided that it shall not be lawful to appeal in any criminal case, or of correction, or from the execution of any order taken in their Court of Chief Pleas, nor in cries of haro, or from any matter moveable under the sum of ten pounds sterling:

"Provided furthermore, that no appeal be made from any decree that is not final, but only from decrees, sentences, and judgments definitive.

"Provided also that the party appellant shall effectually prosecute and end his appeal within one year and a day, if he be not let by any lawful impediment, and shall put in sureties so to prosecute his said appeal, and to pay the costs and charges of his adversary, in case it shall be found that he had not good cause to appeal, as the ancient custom of that isle seemeth to have been.

"3.—That the party appellant shall have under the seal of the island, an instrument containing all the acts and proceedings of that cause whereon he shall appeal, ready to be shown here when need shall be.

And for the better execution thereof, that the bailiff and jurats shall cause to be recorded in the acts of their court, the plaintiff's declaration, and all other matters pleaded by any of the parties, together with the deposition of witnesses examined in such causes and instruments, or other proof exhibited; and generally the particular proceedings of every court day. And upon every appeal made from them, they shall deliver unto the appellants, under the seal of the island, the copy of their said acts concerning their particular causes, the said appellants paying to the greffier such fees as heretofore for the like acts has been usual.

"4.—Whereas they complain of want of due administration of justice through the liberty the bailiff and jurats take unto themselves to direct their judgments by precedents wherein there is no certainty, nor rule of justice, (as by the late commissioners, sent thither by authority from Her Majesty to inform themselves of the true state of that isle, it has been reported to us) forsaking the "Coutumier" of Normandy, whereunto they should hold themselves in all points, not restrained or supplied by the book of precept, or the book of extent. It is ordered that the said bailiff and jurats, in the administration of justice, shall keep and observe the book of precept and the book of extent, so far as they be not repugnant to any order now or heretofore taken by Her Majesty, or any of her progenitors, or by the lords of her, or their, privy council. And that in all matters not restrained by the book of precept and extent, or other order aforesaid, they shall follow the "Coutumier" of Normandy, and, according to the customs thereof, administer justice within the said isle.

"Provided that, forasmuch as the manner of process and differences of courts and forms of proceedings therein of long time used in that island can hardly be reduced to the forms prescribed by the "Coutumier" of Normandy. It shall be lawful for the bailiff and jurats to retain the said differences of court with the days and form of proceeding thereon, as heretofore has been usual, unless, in any of their courts of chief pleas, they shall, by assent of the States of the isle, agree upon any order tending to the abridgment of the length of sales.

"And forasmuch as it is reported that there be divers customs differing from the

"coutumier" of Normandy, which concerns rights of succession, partage, dower, retraits, and other like matters which cannot well be altered, and yet are thought to be few in number, the bailiff and jurats shall join unto them twelve other persons of the most ancient and best experienced in the isle, to be named by the governor, and shall together collate the said customs, (not pertaining to the manner of proceeding, but to the causes before expressed, and others of a like nature,) which the "Coutumier" of Normandy, corrected and amended in the reign of king Henry the Second, of France, in matters touching the abridgment of length of sales; and, such as they shall find different from the said "Coutumier," they shall put down in writing, and send the same to the lords of Her Majesty's privy council before Easter next, to receive their order thereon. Provided that in the mean time, until further order be taken touching such customs, it shall be lawful for the bailiff and jurats to follow and put into execution such of the said customs, as they can show have been used there time out of mind, and after order given by the lords, that they do nothing by colour of custom other than such as shall be allowed by the said lords.

"5.—Whereas it appears, as well by their complaints, as by the report of the commissioners of late sent unto the isle, that in the time of Francis Chamberlain, divers of the inhabitants had purchased certain rents and lands belonging to Her Majesty by warrant of Her Majesty's commissioners, and that having received their concurrence in writing under the hands of divers of the commissioners appointed for that purpose, and paid their money, the said conveyances were left imperfect, because they were not sealed with the seal of the island, according to the tenor of the said commission. It is, therefore, ordered that commission shall be directed to the governor and bailiff for the sealing of the said conveyances, so as the charges thereof shall be borne by them that are to receive the benefits thereof.

"6.—Whereas sundry of the inhabitants find themselves grieved by a sentence given against them touching the matter of *campart*, and have exhibited an humble petition requiring liberty to make and prosecute their appeal from the said judgment given for *campart*, or to take the remedy by order of justice; and it is found reasonable by Her Majesty's legal advisers that, in this case, they should be relieved. It is ordered that it shall be lawful for so many of the inhabitants as are charged by the said sentence with payment of *campart*, that is to say, as many of the tenants of the fee of St. Michel, as hold any part thereof charged with two quints the vergée, to make a letter of attorney to such as they may choose to name, giving him or them thereby authority to appeal and to prosecute the same before such delegates as shall be named here by the lords of Her Majesty's privy council, where it is meant that their said cause shall be heard and determined, as the place most fit for the choice of meet judges, and retaining such counsellors, as for both parties shall be thought proper and necessary. Lastly, where the late commissioners made report that the rolls for gathering Her Majesty's rents were defaced on purpose, a new book must be made out, under the seal of the island, of all the said rents, for the direction of the receiver. It is ordered that the purpose of the bailiff and jurats shall be forthwith put into execution, and that one book shall be made out of the said rolls, with the direction and assistance of the new receiver, and the inspection of the governor for the gathering of the said rents, whereof one copy shall remain with the said bailiff and jurats, and another be delivered to Her Majesty's receiver, under some authentic form, sealed with the seal of the island. (Signed) E. Lincoln."

In reference to the fourth article of this order in council, the following letter was addressed to the bailiff and jurats.

"After our right hearty commendations, we do return unto you by the bearers, Andrew Harris and Louis Devick, the book sent hither unto us by you, containing the laws and customs of that isle, ratified by us, with such considerations and reservations to the Queen's Majesty, as have been here thought expedient. The parties before mentioned have been longer detained here, by reason that the book being long, and containing many several points, has been by us committed to the view and consideration of certain of Her Majesty's counsel and others learned in the law, who have taken the more time to peruse the same, and to deliver their opinions thereon.

And as the said Harris and Devick have nevertheless been diligent to solicit, from time to time, the dispatch of the same, you shall do well to have consideration of their time, and charges spent, and to see them satisfied accordingly with favour and expedition, whereof not doubting but you will be mindful, we bid you heartily farewell, from the court at St. James', the 3rd day of November, 1583."

GUERNSEY IN 1775 AND 1837.

Tempora mutantur, nos et mutamur in illis.

THE first part of the following sketch is drawn from inquiries recently made for the purpose of two or three gentlemen, now upwards of seventy years of age, who perfectly remember the state of the island at the former period, soon after which it would seem that the spirit of improvement began to develop itself, owing to the addition made to the garrison, and the increased intercourse with strangers, during the first American war. Little, however, was done to embellish the town, or to facilitate the communication with the country, until the commencement of the present century.

In 1775, the town of St. Peter's-Port extended northerly to the Long Store, southerly to the lower half of Hauteville, and westerly from Fountain street to Country Mansell, including the Bordage and Mill street. Pedvin street was not built, and the present Market place was a garden. Berthelot street existed almost as it now is, but Smith street was complete only on the eastern side, the western reaching merely to the pump, and from thence to the upper part of Berthelot street, and to New Town, the land was in fields and gardens. Indeed, a gentleman, yet living, remembers shooting a woodcock where the gaol now stands. The houses in Park street, Mount Durand, Mount Row, New Town, Canichers, Paris street, &c. &c., have, with very few exceptions, been erected since. The principal streets were paved, but there were neither public lamps, nor sewers, nor flagged footpaths. The lower part of Fountain street was so narrow, and the houses on each side projected so much at every story, that the inmates could almost shake hands across. The parish church was the only place of worship in St. Peter's-Port, and there was neither a dissenter nor a chapel in the town or country.

From Lord De Saumarez's house, at the top of Smith street, to the C  tel church, there were only eight houses bordering the road. St. James' street and Candle road were miserable lanes only wide enough for a cart, and without footpaths; the Grange road was equally narrow, but it had a wide footpath. The house on the Grange road, a little above and facing Doyle road, was built by Mr. William Brock, for his summer residence only, his winter one being in High street, about half a mile distant; and when Mr. Henry Brock built Belmont, he was told that the roof would be blown away by the westerly gales, and that he might as well erect his house on Rock Douvre.

The present site of Fort George and its outskirts contained some of the finest corn fields in the island. Government house was then situated at the top of Smith street, as at this moment, but two or three years previously it was that now called the haunted house at the Tour de Beaugard, between Horn street and the Bordage. The garrison consisted of four companies of invalids, who were quartered at Castle Cornet, as there were no barracks, but many of the soldiers were permitted to live in the town and to serve as porters. One entire and two half regiments of foot were soon after added to protect the island during the American revolutionary war. The town militia was composed of one infantry regiment, of which the grenadiers only were clothed in uniform, purchased at their own expense, and the whole of the privates were compelled to provide their own arms and ammunition. The country militia was embodied into two regiments, the third and the town regiment of artillery having been formed during the American war.

The Royal Court held its sittings in a mean detached building at the Plaiderie, now used as a store, and the public records were kept in the private house of the Greffier, while two cells at Castle Cornet constituted the public prison, both for debtors and criminals, but an insolvent debtor, or a bankrupt, was a *rara avis* in those days. The meat and vegetable markets were held on Saturday only in High street, from the church to the corner of Berthelot street, and fish was sold in the afternoon, as it was chiefly caught by the town fishermen, very little being brought in from the country parishes. The New Ground existed as a public promenade, having been purchased by the parish in 1764, but, having already described the state of Candie road, we need scarcely add that the avenue from the town to the New Ground was wretched. There was only one master in Elizabeth College, which was held in the house now occupied by the Vice-Principal, but lately much enlarged. A theatre was fitted up in a store near the hospital, and a small company of actors came over every three or four years to perform in it.

The shipping of the island consisted of one ship, three or four brigs, and a few

sloops and cutters. The square-rigged vessels (none of which were copper-fastened or sheathed) were usually employed in bringing tobacco and staves from Virginia, rum from the island of Santa Cruz, and brandy and wine from Cette and Salou. Wines were occasionally received to be stored for account of the English merchants, and re-shipped when required. There were no pipe carts, and pipes of wine and spirits were conveyed singly on sledges, or slides, drawn by two oxen and four horses. Hogsheads were occasionally slung to poles and carried by porters. Bills on London and Paris were seldom seen, as the trade was very limited, and the incomes of the gentry were derived chiefly from their "*Rentes*." The money in circulation was English and French gold, but principally guineas and six livre pieces, and local bank notes did not exist. There were three or four small breweries and a few insignificant manufactories of rope, tobacco, and candles, but no iron foundries, distilleries, &c.; and many articles, now made here, were imported from Southampton and Bristol. Soap came chiefly from Marseilles. The town parish was assessed at 47,360 quarters, paid by 399 individuals, averaging 118 quarters each. The island possessed neither a newspaper, nor a printing press, nor a single hot or green house, and the inhabitants do not appear to have been very partial to physic, as there were only three medical practitioners, and not a druggist.

There was no government packet or post office, and the communication with the metropolis was carried on by the small Southampton traders, which crossed very irregularly; and during the American war some of the London newspapers were sent to Brixham to be forwarded by the cutters from thence, as these vessels could reach the island with a south-westerly wind, which was directly adverse from the Needles.

The principal families resided chiefly in High street, with a few in Cornet and Smith streets and the Pollet, and they usually dined at one, took tea at four or five, and supped substantially on meat or fish at eight or nine o'clock. These early hours extended, in some measure, even to company, and notwithstanding, the inhabitants maintained a constant social intercourse, as the money which is now spent in ostentatious entertainments, few and far between, and in carriage hire, was then devoted to more frequent, genuine, and rational hospitality. The public assemblies were held weekly in a large room at the bottom of the Pollet, and the ladies were not the less happy, or the less lovely, because they walked to parties in hood and patters.

Few or no strangers lived permanently in the island, and very few, excepting the garrison, visited it, unless they came on commercial business. The language of all classes in their own families was, with few exceptions, French or Guernsey French, chiefly the latter, but the upper classes could speak English, as they were generally educated in England.

The roads throughout the island were only wide enough for a cart, but the greater part had a narrow high footpath, and if two carts met, one had to back into a field, or some chance opening, to allow the other to pass. Those who resided in the distant parishes, and remember the difficulties of the communication with the town, might now parody the well known distich of the Highlands of Scotland:

Had you seen these roads, ere a credit to our soil,
You would hold up your hands, and bless General Doyle.

In consequence, the inhabitants of the country had so little intercourse with each other or with the town, that their parishes could be discovered by their different accents. Carriages were almost useless, as excursions were made on foot or on horseback, and the few which existed, were gigs, substantially constructed without springs. It was about this time that Lieutenant-Governor Irving introduced the first four-wheel close carriage, with a pair of horses, seen in the island.

In reviewing the state of Guernsey upwards of sixty years ago, we must not, however, forget that even England, the pioneer of European civilization, was then very far behind what she now is in roads, buildings, equipages, literary gratifications, and the other comforts and elegancies of life. The steam engine has since given an impetus to every species of improvement, which might otherwise have lain dormant for another century. One of our informants remembers, when he was at school at Southampton in 1775, that the stage coaches, of which there were only two, set out from thence for London at four o'clock a.m., and only reached their destination at nine o'clock p.m. Even less than thirty years ago the coaches were thirteen and fourteen hours performing the same distance. Now, the journey is accomplished in about eight hours.

But contrast Guernsey in 1837 with what she was in 1775, and how different is her aspect, how changed is the appearance both of the town and country, and how

altered are the manners and habits of the people. We have now excellent roads and powerful steam vessels running constantly to England, Jersey, and France; we have a handsome court house, a secure gaol, commodious market places, (a vegetable one excepted,) lamps and flagged footpaths, and improvements innumerable. It would be an act of injustice and ingratitude to omit that the town is in a great measure indebted to the patriotic and indefatigable exertions of Mr. John Savery Brock for its markets and many other improvements. We have a noble college, but unfortunately much beyond our wants and means. There are three churches and two chapels of ease in St. Peter's-Port, and about five and twenty dissenting chapels in the town and country, so that sectarians lack not. We have four newspapers, many printing presses, and several hundred graperies and conservatories. We are "kept alive" by the presence of six physicians, twenty-two surgeons, and eight druggists, and their host of apprentices. The town has at least doubled in extent and population, and was last year assessed at 156,080 quarters, levied on 826 individuals, averaging nearly 180 quarters each. The houses in High street have been converted into shops, and the upper classes have removed to the environs of the old town or to the country. Numberless strangers either reside here permanently, or visit the island during the summer. In contemplating these changes, we cannot, however, but regret that a little more of the simplicity of character of our ancestors has not been preserved, as although the tone of society may be more refined, yet there is now far less sociability. Late hours and costly entertainments, immense houses and expensive furniture, are ill adapted to our confined position and equal laws of inheritance. Our establishments have increased, while in many old families the means of supporting them have diminished, and it is painful to think that these families will struggle in vain to preserve their present respectable station. We possess no permanent sources of prosperity, and, in consequence, our commerce is fast decreasing. The large fortunes in the funds must, in a few years, be greatly divided, even if the interest continue to be paid. Unfortunately also the necessity of a larger income to keep pace with this growing expenditure, has of late years induced many improvident investments of capital in Spanish and other equally worthless stocks, offering a high interest with very doubtful security, and the consequence has been the loss of tens of thousands, in some instances the accumulated savings of our more thrifty forefathers. It were wise, then, in the upper classes to return to the more simple and social style of living of the last generation. We have hitherto copied from England, but these things are better managed in France, and a *soirée à la Française* would become us more than champagne suppers. We know how difficult it is to cast off the trammels of custom—the chained captive is in thought more free than the slave of fashion—but if the higher orders in Guernsey wish to preserve their independence, and that punctuality of payment by which they have hitherto been so honorably distinguished, they must entertain on frugal cheer, and discard the luxuries of profusion. Hospitality ceases to be a virtue when it can no longer be exercised with moderation and prudence, and surely frugality, or even parsimony, as some writers on these islands have termed it, is far more creditable than the embarrassments, mortgages, and insolvencies, so prevalent among the proud aristocracy of their own country.

F. B. T.

MEMOIR OF CAPTAIN JOHN LUCE, OF JERSEY.

THE subject of the present memoir was the eldest son of John Luce, esq., a lieutenant in the royal navy, and Elizabeth Matthews; * born on the 3rd of November, 1758, in St. Helier's, the principal parish of the island of Jersey, which place has the honor of having furnished the navy with many brave and deserving men, the circumnavigator Captain Philip Carteret; Philip Auvergne, Prince of Bouillon; Sir Philip Carteret Silvester, baronet, with such names as Durell, Pipon, Dumaresq, Legeyt, Bertram, Bisson, and many more whose brilliant career we trust will be brought to light for the admiration of future ages.

Mr. Luce's father† was also a native of Jersey, and greatly distinguished

* Second daughter of William Matthews and Elizabeth Prior, of Bishop Waltham, in Hampshire.

† By the inscription on a neat tombstone in the old church yard of St. Helier's, we find he died on the 11th December, 1796, in the sixty-third year of his age.

himself at the attack of Belle Isle, on the coast of France, and with the land forces on the plains of Abraham, at the siege of Quebec (with his companion the celebrated circumnavigator Captain James Cook) where the immortal Wolfe expired, at the moment of victory, 13th September, 1759. Belonging to the profession, he procured the admittance of his son into the Greenwich school, where he received his education, when that seminary was in great repute, and which gave the late Admiral Lord Hugh Seymour, and Rear-Admiral Payne, pupils of the same establishment, that knowledge of tactics, which in after life brought them into public estimation, by the service rendered their country.

After his studies, he embarked in the mercantile service, under the care of experienced seamen, and made several voyages to the West Indies, and the bay of Honduras, with his father's friends, Captain Collas, and Clement Durell.

Honduras was then a very favorite and lucrative place of trade, being a new settlement for British enterprise.

An inducement in young Luce to continue these long voyages was, the very kind reception he was always sure of meeting at Belize,—situated on the north and south sides of the river of that name,—where resided several merchants in scattered huts, covered with thatch, with whom his family were deeply connected; and most particularly that of Major Joshua Gabourel, of the royal local artillery, whose excellent and talented widow is still living, and enjoying good old age, in Jersey.

It was to this station that Lord Nelson was dispatched from Jamaica in the sloop *Badger*, in 1779, to protect the baymen from the depredations of American privateers.

Mr. Luce's godfather, the king's solicitor general of the island of Jersey, John Thomas Durell, esq., on his return to his native isle, after a long absence, strenuously advised our roving sailor to try his fortune in the king's navy. He promptly followed the kind suggestion of his friend and worthy godfather, and in a few weeks was serving in his Majesty's small squadron then protecting the Channel Islands. He afterwards found his way to the West Indies, his favourite station, and served in the fleet opposed to the Count De Grasse;—he also served with the naval battalions in the conquest of Martinique, on the 22d March, 1793, and at St. Lucia;—he was further employed in several arduous situations in the transportation of the Caribs from St. Vincent to the island of Ruatan, but who subsequently deserted from that delightful and advantageous spot to Truxillo, on the Spanish main.

Returning to Europe, Mr. Luce joined the *Crescent* frigate, of 36 guns the crew of which were mostly fellow islanders from Guernsey and Jersey, who were delighted to serve under that able and beloved commander, Captain Saumarez.

After passing through the subordinate departments of the service, and having distinguished himself in the capacity of master's mate on various occasions, that demanded considerable skill and intrepidity, when at Spithead, in the beginning of 1793, he got permission from his chief to visit London, and was favored by Captain Saumarez with a strong recommendatory letter to Paul Le Mesurier,* esq., then M.P. for the Borough of Southwark, and afterwards chief magistrate of that city.

Proficient by education, Mr. Luce soon passed the regular ordeal of examination necessary previously to obtaining the rank of lieutenant,—out of fifteen aspirants only seven were found fully qualified for promotion; the others had the mortification of being sent back.

He rapidly and joyfully rejoined his ship, and fortunately in good time to share in the glory of the action fought with the *Réunion*, which was recaptured off Cape Barfleur, in which conflict his distinguished conduct excited so particularly the notice and patronage of his discerning chief, that he soon obtained, for his bravery on the occasion, the rank to which he had so long aspired.

* Mr. Le Mesurier was a native of Guernsey.

Sir James Saumarez retained Lieutenant Luce for many cogent reasons. Familiar with the French language, he was a great acquisition to the service in the expedition in aid of the royalists at Quiberon Bay, and was frequently employed on shore, not without imminent danger of falling into the hands of the revolutionists, who never failed to slaughter their captives, without trial or mercy.

On the 8th June, 1794, the *Crescent*, *Druid*, of 32, and *Eurydice*, of 20, fell in with a French fleet off Jersey. The vast superiority of the enemy prevented their coming to close action, but they occasionally engaged the French ships until they got off, into Guernsey roads, which was witnessed by multitudes of the inhabitants of that loyal island, and so bold and masterly a manœuvre was displayed, that the then governor issued a general complimentary order of the day, conveying the public approbation of the distinguished and consummate professional skill displayed on the occasion by British seamanship, most flattering indeed to the feelings of the crews attached to our small squadron.

Lieutenant Luce continued serving with Sir James Saumarez on board of the *Orion* as first lieutenant of that ship, which it is well known bore a distinguished and prominent station in the battle of L'Orient, being one of the first in action; this took place on the 23d June, 1795, for which Lord Bridport expressed his acknowledgments to the officers and seamen, for their intrepidity, courage, and skill during the battle.

The *Orion* continued cruising in different parts of the channel, whilst attached to the fleet off Brest: in the bay of Biscay she made several captures of the enemy's privateers, that were sent into the nearest English ports; meanwhile, in the early part of February, 1797, an order was received from the lords of the Admiralty, directing the ship to proceed, and reinforce the squadron of Sir John Jervis, which they joined only a few days previously to the celebrated battle which took place off Cape St. Vincent, on the coast of Portugal, on the 14th of the same month, with the Spanish Admiral Don Jose Cordova.

Early in the morning of that memorable day, it was known on board that the enemy's force counted twenty-seven sail of the line, exclusive of frigates and other armed vessels.—At noon the fleets were closely and warmly at work, when the action became more general two hours afterwards; it was half-past three when the Spanish ship *Salvador del Mundo*, of 112 guns, got desperately engaged with the *Orion*, of 74 guns, but was soon compelled to strike her colours, followed by the hoisting of the English Jack,—this was a happy omen to the English fleet, particularly for those on board the *Orion*.—the ship's cutter was then immediately lowered,—and with the rapidity of lightning, first Lieutenant Luce, whose privilege it was, jumped into the boat and as quickly took possession of the prize, with the formalities observed on such occasions.

The following morning the fleet anchored in Lagos bay, when Lieutenant Luce proceeded for England in charge of the *Salvador del Mundo*, which he safely conducted to Spithead. So abundant were the preserved meats found on board this Spanish prize, that the victors fared sumptuously every day during the voyage.

On the 7th of March of the same year, Lieutenant Luce was honoured with a commission of commander, as a reward for his distinguished merit in the battle off Cape St. Vincent, a reward to which he was justly entitled, after the hard-earned victory for which, in common with the rest of the officers of the squadron, he received the thanks of Parliament.

In the period of his active career, Captain Luce had faithfully served his country's cause in many hard fought actions and skirmishes, and sustained various bodily injuries; fortunately, however, for his family and friends, the most inconvenient was that which occasioned his deafness, arising from the concussion of a cannon shot in the last engagement, which at the moment blew off his speaking trumpet whilst giving orders on board the *Orion*, the shock of which he never completely recovered; from his early

years he had been accustomed to the labour and hardships of a sea life, but now incapacitated and almost worn out, he consoled himself with the prospect of finding some rest in domestic circles after his fatigues.

He married, in 1800, Miss Scarvel, at Gosport, with whom he had formed an attachment when at Antigua, during his sojourn in the West Indies. They resided some time at Greenwich, whilst building a cottage of his own choice at Walworth, where he always felt an humble pride in entertaining his former shipmates and companions.

His old and respected captain, the late Admiral Lord de Saumarez, seldom came to London without visiting those brave veteran officers to whom his lordship had been attached by their devotedness to the service, at least to those who resided in its vicinity; amongst the number was the subject of this memoir (the admiral's oldest lieutenant.) It was always a most pleasing visit to Captain Luce, as he frequently afterwards expressed the joy such occasions afforded him.

This good and worthy man, after a long and painful illness of three years' duration, which he bore with exemplary patience and resignation, expired, without a murmur, on the 7th May, 1827. His remains were deposited in the vaults of Trinity Church, in Newington Butts, Surrey, on the 14th of same month; followed by Colonel Waldegrave Fane, of the royal marines; Lieutenant Charles B. Stockdale, R. N.; Messrs. Guillet, Walker, and other intimate friends; several of his tradesmen, and a concourse of neighbours, evincing to the last, the regard they bore him, from the modest, unassuming, and endearing qualities with which his unblemished character was adorned.

Leaving no issue, Captain Luce appointed his nephew and heir at law, Mr. Pickstock, a merchant of Honduras, the sole executor of his will, bequeathing him the greatest portion of his property.

T. P.

COMMERCE OF JERSEY.—No. 4.

Of the internal trade of the island we may form some notion from the number of carts which are annually weighed. It is principally agricultural produce, such as apples and potatoes, which gives employment for the weigh-bridges. Of these there are four in the island, two at St. Helier's, one at St. Aubin's, and the other at Gorey. It is in the autumn particularly, when apples and potatoes are exported, that they are kept in full activity. Then, during the busy days, may be seen long trains of loaded carts, waiting for their turn to pass over the weigh-bridge; sometimes, to avoid delay during the hours of business, some of the country people will be, with their loaded carts, at St. Helier's harbour, long before the town-folk have shaken off the chains of Morpheus, in order to be among the first to have their carts weighed, at the patience-exhausting spot. The number of carts weighed at the weigh-bridges of St. Helier's, during the past year, was 17,948, producing a net revenue to the island of £112 3s. 6d. for one half of the receipts go to the keeper of the weigh-bridges; the number of carts weighed during the same period at Mont Orgueil was 2180, and at St. Aubin's, 2466.

Many of the improvements in Jersey, and of its advances in industry, are to be dated from the conclusion of the last war. Then there were no iron foundries in the island, and all cast iron articles were imported from England.

Now there are four iron foundries in operation; and, instead of having to send to Southampton for a grate, one may be purchased here as good, and of a price equally low or lower.

The preparation of leather gives employment to five tan-yards. Of bricks the export was :

In 1829.....	186200	tone.
1830.....	168400	„
1831.....	284150	„
1832.....	170000	„
1833.....	180206	„

The public works in Jersey have given much employment to industry. During the war vast sums were expended by Government in the erection of Fort Regent—a strong citadel, but in a situation to effect the destruction of the town of St. Helier's rather than to afford it protection. The building of harbours, the making of roads, the erecting of public edifices, have been a source of much expense to the island, as the following statement of the monies expended from the year 1787 to 1829 will exhibit.

Total amount of expenditure for the pier of St. Aubin's,			
including interest of debt.....	£36,514	10	8
Ditto for the pier of St. Helier's.....	79,705	18	10
Total of the expenditure for the defence of the island....	40,421	7	2
Ditto for making military communications and roads....	35,319	19	1
Ditto for other purposes of public utility, including the			
cost of the new prison, the new market, interest of			
debt, &c.	84,414	17	6
	<hr/>		
	£276,376	13	3

Since then, a line of quays and slaughter-houses has been built, at an expense to the States of about £20,000; and a common sewer made in the town which has cost about £3000.

Much flour was formerly imported for the consumption of the inhabitants, now that is unnecessary; for, besides the water and wind-mills (none of which can be erected, owing to the remains of the feudal law, without the express permission of His Majesty in council) there are seven which are worked by steam power. The effect which the application of steam as a moving power has, in some cases, to lessen the cost of production may be instanced, though, in a minor degree, in Jersey. If I wished to draw most cogent arguments for the truth of this property of steam power, I should refer to the cotton and other factories, or to the mighty application of steam engines in the working of the mines of England; but I am well content to remark its benefit in Jersey. In the years 1834 and 1835, when the rains of heaven were much withheld from us, and the rivulets had ceased to flow, the mill-ponds were dried up, and the water-mills were still. Had the steam engine not been known or employed, we should have been under the necessity of importing a great portion of the flour required for our consumption, from England, at an advanced price. But the grinding-stones were not allowed to rest, for steam power was employed instead of the water wheel, and a few shillings per sack of flour were saved to the community. This kind of saving is of all others, the most advantageous, for there is no loss thereby incurred by any person; and it is in this light we must regard the improvements in machinery or otherwise whereby the productiveness of industry is increased; with the same expenditure a larger quantity of products is procured; and the greater the difference of production thus promoted and the less the natural price, the more is the wealth of society increased. "La baisse réelle des choses tourne au profit du consommateur, mais n'altère point les revenus des producteurs. Elle est favorable à l'acheteur sans être défavorable aux vendeurs." The beautiful division and subdivision into which commerce naturally branches, is greatly productive of cheapness of price. It has always been useless, and worse than useless, to endeavour to produce the same results by other and artificial means. Cheapness of corn has been justly thought desirable; and this desire in legislators has sometimes ignorantly led them to the issuing of enactments which produced the very opposite effects to those sought for. It was once believed that the price of corn became higher on account of the farmer selling to the merchant, and the merchant to the retailer; and it was supposed that corn could always be purchased cheaper directly from the farmer, than by the usual course of commerce. It was therefore enacted by the 5th and 6th of Edward VI., cap. 14, that whoever should buy any corn or grain with intent to sell it again, should be reputed an unlawful engrosser, and should, for the first fault, suffer two months imprisonment,

and forfeit the value of the corn: for the second, suffer six months imprisonment, and forfeit double the value; and for the third, be set in the pillory, suffer imprisonment during the king's pleasure, and forfeit all his goods and chattels. By thus uniting the occupations of farmer and corn merchant in the same individual, the corn could not yet be sold cheaper than before; for that portion of his capital which the farmer was compelled to keep in his granaries, instead of employing it in the cultivation of his land, required an equal profit at least as the corn merchant would have been satisfied with; and the consumer could not purchase it so cheaply nor so conveniently as before, while agriculture was retarded. My limits do not allow me to extend any observations on this subject, but I shall refer my readers to Adam Smith's remarks on it in his valuable work on the *Wealth of Nations*, and allude to the working of the same principle in Jersey not many years ago. Often may we perceive with Say, that, "*en administration comme en morale, l'habilité ne consiste pas à vouloir qu'on fasse, mais à faire en sorte qu'on veuille. Les marchés ne sont jamais garnis de denrées par des gendarmes et des sbires.*" During the year 1828, the price of corn rose considerably, especially in England: it also rose in this island, where the price is chiefly regulated by that in England and in the north of Europe: a few cargoes of foreign wheat were exported *as such* to England, while the duties on importation there were low: but as is usually the case when the price of corn rises, the corn merchants had to encounter much popular clamour; the States partook of the same prejudice, and passed a law prohibiting the exportation of foreign corn from the island. That measure caused a serious loss to the merchant, and was unproductive of good to the community. Free trade will always prevent or alleviate a scarcity; but by this act of the States, importation was prevented, for the merchant would not import corn if he had not the privilege of re-exporting it; and the vessels which arrived off the island laden with this article of food, were consequently by the merchants ordered to proceed to England. The act of the States was therefore more calculated to produce a scarcity than to remove one.

It was, besides, contrary to the strict principles of justice; it caused the holder of corn to keep that portion of his capital unemployed, which in the usual free trade, would have supported industry. The islands, by reason of their free trade, may be regarded as a *dépôt* for wheat and other articles; but, by the law, the capital invested in this branch of commerce was not to be disposed of as the proprietor thought best, and in the mode for which perhaps he had been induced to purchase wheat, which the previous state of law allowed and encouraged. The coasting vessels to England, and labourers here, were more or less injured by the law, for much of that wheat, which was sent on in the vessels which brought it here, would have been landed here, and, as well as other wheat, sent in various quantities by the traders. Complaints were made to His Majesty in council, who sent an order to the States requiring their answer to them, which led to the repeal by that body of the injudicious law; but the corn merchants had to endure a loss of some thousands of pounds, by not being permitted to avail themselves of the temporary advantages which were offered by the English markets, while the Jersey community reaped no benefit whatever from that law. So true is it, as Say remarks, that "*l'ignorance populaire a presque toujours eu en horreur ceux qui ont fait le commerce des grains, et les gouvernemens ont trop souvent partagé les préjugés et les terreurs populaires.*"

I have alluded to the steam engine in its effect of rendering flour cheaper than it would otherwise have been; but the advantages of the steam engine are not to be estimated merely from the increase in the physical enjoyments of mankind which it produces: it is effecting, and it will effect, a grand moral revolution. It is to the present times what the inventors of the arts were to the past, when they were judged by a grateful people, worthy to partake the title and rank of gods, and were accordingly deified and wor-

shipped under new names. The moral influence which results from the application of steam as a motive power, is so well expressed in Sir Robert Peel's speech at the university of Glasgow, after his installation as Lord Rector, that an extract cannot but be read with satisfaction. "The steam engine and the rail road are not merely facilitating the transport of merchandize, they are not merely shortening the duration of journeys, or administering to the supply of physical wants; they are speeding the intercourse between mind and mind; they are creating new demands for knowledge; they are fertilizing the intellectual as well as the material waste; they are removing the impediments which obscurity, or remoteness, or poverty, may have heretofore opposed to the emerging of true merit." To the Channel Islands the steam engine has been of the most genial benefit, whether in a material or an intellectual view. It has brought us nearer to England; it has made us more intimately acquainted with the high advances in civilization and knowledge there attained; it has made us more acquainted with the great, the good, and the wise of the past and of the present; it has supplied us more cheaply and abundantly with the labours of men of powerful intellect, and increased our sympathies for them; it has enlarged our views and conceptions of things; and, although it has produced all this but in part, for much remains to be done, it has augmented our anticipations for future good, and makes the old man, on referring to the days of his youth, dilate on the greater facilities now offered to the rising generation of improving in knowledge, and reaping the blessings which proceed from it.

There are only thirteen years that the boons of a steam boat have been enjoyed by us. A passage to England previously often occupied many days, and, instead of crossing over to Guernsey in less than four hours as now, I have been eighteen, and the passage has sometimes been longer. Most of the natives of the Channel Islands will recollect the sensation which the arrival of the first steam boat, in 1823, to our shores, created. The deck, the engine-room, were soon crowded by a vast assemblage of visitors, desirous to see the wonderful vessel; and before her arrival, a well-intentioned man, who had perceived her in the offing, rode to town with all haste from St. Brelade's parish, to give the woeful intelligence that a ship at sea was on fire, when, to his astonishment, this vessel on fire came round Noirmont Point, safely anchored in the roadstead, and landed her unfrightened passengers.

In addition to the actual industry of the island, I should not omit to notice those sources of future industry which the finger of science points out. I could not, however, let the opportunity pass without paying a tribute to science and her manifold discoveries, and holding out one further palpable argument in her favour. At Boulay Bay, the geologist will find some hills consisting mostly of a compact felspar in a decomposed state, which is the same substance as the kaolin of the Chinese, from which porcelain is manufactured. I believe the circumstance is not much known, and I should feel much happiness could this present article be the means of spreading a knowledge of it, and of stimulating an inquiry by capitalists, whether a manufactory of porcelain could not be established here.

But my subject is more connected with, or rather should be more confined to, the things which be: then, let us continue to observe the industry which does prevail. The number of carpenters employed in the building and repairing of ships, and of labourers in the loading and unloading of vessels, is very great. After the bell has tolled—the signal of dinner hour—they may be met with near the harbour returning home for their daily bread, and their number cannot but be remarked. I cannot estimate precisely what it may be, as it varies according to the number of vessels in the harbour, and the labour required to be done. The wages of pier labourers are two shillings per diem, and of carpenters about two shillings and ninepence; and while on this subject, I must make a remark on the difference which exists in the wages paid in either of the Channel Islands. In Guernsey they are much higher than in Jersey. The wages of pier labourers in the former may be stated at two shillings and sixpence per day, and of ship carpenters at three

shillings and sixpence ; and, at the commencement of the past winter, when the wages were reduced from three shillings and sixpence to three shillings and threepence, in one of the ship building yards in Guernsey, there was a strike among some of the workmen, which lasted two or three days. The same proportional difference exists in the wages of seamen ; those paid in Jersey being usually two pounds, while in Guernsey they are two pounds five shillings per month.* The probable causes and the effects of this difference, are deserving of some consideration. I would attribute the cause to the greater constancy and certainty of employment in Jersey than in Guernsey. The wages of labour are at all times much influenced by this. A porter, for instance, is paid a larger sum for carrying a load, in proportion to the time employed, than the day labourer ; and it is just that it should be so, for the former, on the whole, may not receive a larger aggregate amount, though in larger separate sums, than the latter. When a man is in constant employ, he can work for less than he who is only occasionally employed. In Jersey there is almost, I may say, continual employment for labourers ; and the numbers of these being fully equal to the demand for them, and probably a little more, the wages continue at the same rate throughout the year. The constancy of employment results from the more permanent nature of our industry. In Guernsey it is not equally so. The demand for labourers may be viewed as only occasional ; and, even although for some time, for some months, the employment may continue, yet as it is not felt by the labourers to be constant, it cannot strictly be called permanent, and of course the wages must be greater than when the contrary obtains. The ship carpenters also become reduced in numbers, and when there arises an extra demand for them, the supply not being equal to it, the wages must necessarily keep high, and higher than with us. Here we continually have vessels on the stocks and others under repair, and the number of labourers besides fully keeps pace with the demand, and would naturally tend to increase beyond it. This appears to me to lie at the foundation of the difference of wages between the sister isles. Other causes may contribute to it, but the one I have adduced I believe to be the principal. In some of the branches of trade in Guernsey, the same feature is apparent. Whenever the demand is very limited, the returns of capital are slow, and the price of the particular commodity is high. The more frequent are the returns of the circulating capital, the less profit will result on each operation or speculation, but the greater will be the amount of profit at the end of the year : on the contrary, when the returns are slow, the profit on each revolution of capital must be greater, but the aggregate during the same period will be less. In the latter case, the merchant cannot compete with him who is in the former, and will not this lead us to perceive the reason why Jersey-made cordage is cheaper than that which is made in Guernsey ; why timber is cheaper in the former than in the latter island, though both enjoy the blessing of freedom from duties on importations ? If the trade of Guernsey were based upon more durable foundations, if its industry were of a more permanent nature, if it were supported by lasting commercial establishments, or flowed from a perpetual spring, the evils now complained of would have no existence. But the Royal Court of Guernsey appears, with a very short-sighted policy, rather to encourage than to check the higher rate of wages in that island, and which must ultimately be as prejudicial to the employed, as it is now so evidently to the employers. I allude to the boatmen being there permitted by law to charge tenpence for each passenger, while the legal fare in Jersey for the same distance is only sixpence, and, notwithstanding, there is no lack in Jersey of good boats and competent boatmen.

The consequences of the higher wages and prices in Guernsey are disadvantageous to the shipowner there. His vessels cost him more in the building, the equipping, the repairing, and the navigating ; he, besides, labours under other disadvantages from the want of a permanent branch of

* The above sums are stated in local currency, and as the premium in Jersey on bills on London is $\frac{1}{4}$ per cent., and in Guernsey only $\frac{1}{8}$ per cent., the difference is, moreover, $\frac{1}{8}$ per cent. in favour of the Guernsey mechanic or seaman.

industry, as the Newfoundland fishery is to Jersey; he cannot find so constant an employ for his vessels as the Jersey shipowner, who has cargoes of cod-fish to bring home and to convey to a distant market. So aware are the Guernsey merchants of all this, that many are anxious to dispose of their vessels, and one of the principal among them mentioned to me that he had, from the above reasons, entertained some thought of settling in Jersey,—which would but tend to increase the evils in Guernsey. The foreign trade of Guernsey is rapidly declining: it, not many years ago, exceeded that of Jersey; it is now far less considerable. I shall, in some future number, notice the shipping of Jersey. I may be excused for now remarking that of Guernsey during the following years:

In 1807.....	114 vessels..	10450 tons..	940 men.
1817.....	64 " "	6825 " "	390 "
1827.....	75 " "	7879 " "	580 "
1833.....	80 " "	9158 " "	647 "
1836.....	86 " "	9486 " "	668 "

Whenever a source of industry is not certain, but depends only on temporary causes, the same advantage is not derived to the wealth of the community, as when that source depends more upon industry and the natural state of things. Thus, at the close of the last war, much misery was anticipated from the prospect of the withdrawal of the troops from this island, and peace was not desired. The withdrawal of the troops, by the change which it occasioned in the direction of trade and supply, occasioned a few bankruptcies; but the island has since then increased in wealth, in industry, and in prosperity, because the trade has been more laid on sure, than on temporary, foundations. It is in the same manner that we must regard the number of English residents in the island, who assuredly do much good while they remain; but the prosperity to the island from this cause is not of so permanent a nature, for instance, as the Newfoundland trade. The English may leave us,—the greater number would on the probability of a war with France; then what evil would accrue to the many of the shop-keepers, to the owners of houses, and to those persons who derived from their residence an honest livelihood? Whereas, when the commerce or industry of a country or town depends upon more durable resources, when it is capital, and not revenue, which supports it, and, as the spring of a watch, sets all the wheels a going, more assured benefits arise, and prosperity is more likely to continue.

It is a very wrong notion that all the money which is spent by strangers, is so much gain to the community. It would assuredly be so, if they received nothing in return. Supposing that the English residents annually spent in Jersey to the amount of £300,000. Can it be presumed that the island is a gainer of that sum? I know that it is a prevalent opinion, but I know also that it is a false one, for whatever they spend they obtain something in exchange, and on that something the profits may be small. If a body of merchants employ in the island a circulating capital of £300,000, admitting also that the returns of that capital are but once in the year, the same encouragement at least will be given to the industry of the island; and it will be of a more durable and reproducing nature, for, although equally consumed as the same sum spent by revenue, it revives and returns with some profit to the employers. What is spent by revenue never returns, it is so much wealth actually destroyed: what is spent by capital is consumed; but, like the phoenix, it reappears more vigorous and beautiful from the ashes of its predecessor. The same amount of profit may, in either case, be distributed among the community, but in the one case it revives to be again distributed,—in the other, it never does. We may view this principle illustrated in the case of two large towns, the one supported by fashion, as Cheltenham or Bath, the other by capital, as Liverpool or Manchester. The former only derives, as it were, a precarious subsistence, the latter a permanent one; the prosperity of the former is based, in a great measure, on

human caprice, that of the latter is independent of caprice. Now we shall admit, for the sake of example, that the same sum is annually spent in either town, in the former by revenue, in the latter by capital; the advantages which the latter will enjoy, will be continual and permanent, those of the former only temporary, though perhaps nearly equal while they do last. The court and fashionable nobility may chance to patronize some other new favourite place of resort, and the prosperity of the discarded town declines; but a town, whose industry is supported by capital, is entirely independent for wealth and success on the favours and smiles of a court, and it seeks not its presence, as that might occasion expensive habits, which usually are not compatible with an industrious people. The influence of capital and revenue in forming or directing the habits of a people is very extensive; the former occasioned the sober industrious habits of the Dutch; *frugalitas, virtus privata, non regia*; the latter, the gaiety, politeness, and pageantry of the French court, which imprinted those characteristics on the French people. But while I discriminate between the superior advantages of capital over revenue, let me not be supposed to insinuate that the latter is unimportant. No; it is valuable, and to the Channel Islands, the residence of English families is a rich source of wealth. That I willingly admit, although these advantages are not unalloyed: for the burdens of the poor's rate of the town are increasing and are likely still more to increase, from the families of the poorer English and Irish born here, becoming chargeable to the parish.

It is amusing to consider how variously the same circumstances are viewed by people living at different periods. While now so much stress is laid on the value of English residents to the Channel Islands, we find that the court of Guernsey, in 1581, guided doubtless by other motives of insular self-love, enacted that "*les porteurs serviront les habitans de l'île avant que les étrangers,*" a law which I need not say would not be tolerated at the present time. An acquaintance with other countries and other men tends to remove so unchristian a prejudice, and to produce a politeness of feeling. The French are not to be hated because they wear wooden shoes, the English because they love roast beef, nor even the Greenlander because he esteems train-oil a luxury; yet they all have hated each other on these very grounds.

It would be unjust to consider the English and other residents in the Channel Islands merely as they contribute to their wealth; that would be but a narrow view, which however is that alone, which some political economists, not entirely guided by an elevated and elevating philosophy, would embrace. Material wealth and comforts are those sought for by the political economist, while intellectual advancement, except so far as it conduces to the production of wealth, is not always nor essentially regarded by him. But the mind—that noblest part of man—requires cultivation; there are powers to be exercised, powers not given to us by an All-Wise Being to lie idle and neglected as the barren wilderness. We must remember the influence which the residence among us of intelligent English families and strangers must naturally have in stimulating inquiries, in fostering learning and the love of it, in removing hurtful prejudices, and in raising the intellectual character of the people. It has made us more English; it has wedded us to English sympathies and English recollections; for, although distinct, strictly so to speak, English history is considered as ours. We are it is true independent, though dependent; forming isolated spots, which, because isolated, have retarded our progress; but the improvements in the arts and sciences have immensely altered our condition, and we are much indebted to the activity of mind in other countries, and to the increase in their wealth and prosperity, for the amelioration which has taken place in the Channel Islands.

L. Q.

(To be continued.)

CIVIL JURISDICTION OF GUERNSEY.

THOUGH it is impossible to determine, with undoubted certainty, the precise date at which the civil jurisdiction of Guernsey originated, it is nevertheless clear, that it can be traced to the year 912, when Rollo, the Conqueror of Normandy, became possessed of the islands; for the *Clameur de Haro*, still existing, was founded by that prince. From this time to the reign of King John, the laws were administered by a bailiff and two chevaliers or knights, and sometimes the bailiff alone judged causes and pronounced sentence. The most difficult and intricate cases were referred to the grand assizes, held once every year, at which time two itinerant justices were ordered over here, who, with the bailiff and chevaliers, in the presence of the duke's ministers, freeholders, and others, elected by the public, terminated finally all disputes, there being then houses in the islands specially appointed for those chevaliers, and made hereditary to their office.

The duke's ministers were probably those who, by their tenures, had the honour to be members of his household, in case at any time he should visit the island, such as the lords of the manors of the fiefs d'Anneville, St. Michel, Saumarez, &c.

The free tenants were obliged to be present at the grand assizes, most probably merely to do homage, in the same manner as is practised in our modern courts of Chief Pleas. Those elected by the public seem to have corresponded with our constables, representing the whole of our respective parishes.

After the loss of Normandy, from whence the chevaliers and itinerant judges were sent to keep the assizes here, King John thought it necessary to establish a more fixed local jurisdiction, by adjoining to the bailiff twelve magistrates residing in the island, by the name of coronatores, or jurats, to act as guardians of the public peace, and conservators of the rights of the crown.

The king reposed so much confidence in the inhabitants, that he granted them the privilege of choosing their own judges, and from amongst themselves. *Id debent eligi de indigenis insularum per ministros domini regis, et optimatos patrie*, that is to say, they must be chosen from amongst the natives of the island, by the king's ministers, and the principal inhabitants. Then follows: *Post mortem unius eorum alter fide dignus, vel alio casu legitimo, debet substitui*; that is to say, if any one of them should die, or vacate his seat on lawful grounds, another person worthy of trust is to be appointed in his place. The *Précepte d'Assize* amplifies this, and says, the most noble, discreet, prudent, loyal, and rich of the island.

Notwithstanding that King John admitted judges itinerant to come over once in three years, to keep the assizes, it was not with any intention of restraining the Royal Court's right of jurisdiction, since he empowered the Bailiff and Jurats to judge of all cases, either with or without them, except in very difficult cases, such as treason, or personal violence offered to any of the king's officers, while duly executing the functions of their office. The expression runs thus: *In casibus nimis arduis; et si quis legitime convictus fuerit de infidelitate versus dominum regem; vel si quis imposuerit manus violentas in ministros domini regis modo debito officium exercendo*.

By these words "*Et si quis legitime convictus fuerit*," it is evident that, though the punishment of such offenders is reserved to the crown, yet the royal court is authorized to examine into the offence itself, and to see that there is a good foundation or sufficiency of cause of action; and the words *nimis arduis*, imply that those judges of assize were ordered over only to assist our jurats in the determination of the most intricate causes, and by way of instructing them in the nice and delicate points of the law, which we may naturally suppose were in those early times very little known in these islands.

These constitutions having been from time to time confirmed and revived by our crowned heads, we have a copy of them remaining on record, but it is not dated, though it is generally supposed to have been drawn up soon after the French court had expelled King John, and declared him to have forfeited all his rights and prerogatives to the kingdom of Normandy. But the king, in consideration of the fidelity of the islanders, which they proved, among other acts, by driving away all disaffected priests, chevaliers, and other discontented Normans, is supposed at this period to have made this concession in their favour, in order that they might remain entire in their ancient customs and liberties, independently of the laws of England.

We have several copies of an act of Chief Pleas concerning the reparation, or rather the erection, of a bridge, now called *Le Grand Pont*, for the convenience of the inhabitants of the Vale parish to go to market, which was then kept at the *Champ de Ré*, or *Roy*, otherwise called *Les Landes du Marché*, which act was passed by Nicolas de Beauvoir, bailiff, Jean Le Gros, James Le Marchant, Pierre

De La Lande, Robert De La Salle, Colin Henry, Rauf Meril, Gautier Blondel, and Gullet Lefebvre, jurats, dated the 4th October, 1204.

The office of Bailiff being of very ancient establishment, is probably the reason why the qualifications required in his person are not specified in these constitutions, and as being of royal nomination : yet, in accordance with the *Précepte d'Assize*, he ought to be a man of note, and resident in the island, he being answerable to the jurats for wrong or illegal decisions in matters affecting the crown.

The etymology of the word "bailiff" may be traced to a Saxon origin. It signifies "*bailler, confier à la protection*," to entrust to the power of some officer, who is invested with power to enforce obedience to his commands. We still have the high bailiff of Westminster ; and the chief civic magistrate of London was formerly called the bailiff. Richard the First changed the official title into the modern name of Mayor, in 1189. If the bailiff of Guernsey committed a breach of trust, he forfeited all his moveable and real property. He was required to be possessed of landed estates, to be able to answer to the king's justiciaries for any illegal act, in the shape of penalties, such landed estates being in the nature of a security for his good conduct. As first civil magistrate in the island, the bailiff is entitled to rank next to the governor, and even at Court his seat is elevated above all the rest, which shows his independency of the governor himself, in the functions of his office.

In order to render more authentic the many transactions passed before this jurisdiction, Edward the First honoured Guernsey and Jersey each with a public seal, representing in both three leopards passant, (the arms of the ancient province of Normandy,) with the difference however of a branch of lauril erected as a crest over the scutcheon in Guernsey, but not in the other, from which circumstance many persons have imagined that this laurel had been granted to the Guernseymen on their retaking Mont Orgueil Castle in Jersey, during the later reign of king Edward the Fourth, 1460 : but this is an error, as is evident from the inspection of many ancient deeds, authenticated by this seal anterior to this last date, wherein the branch of laurel is depicted, and it may, therefore, be fairly ascribed to Edward the First. Had the patent given an explanation of both seals, we might be better able to examine the true cause of this distinction, but they were sent ready engraved with the name of the island inscribed round each respective seal, and the original grant in favour of Guernsey is missing, which probably explained what is now conjecture.

However, a crest of itself denotes honour, and a laurel is seldom if ever allowed, except to commemorate some signal action. It has been surmised that Guernsey received this mark of distinction in remembrance of the recapture of Castle Cornet by the inhabitants, after it had fallen into the hands of the enemy through the neglect of the Captain, which was the reason why the Bailiff and Jurats were authorized to keep a check over the Governor for the future, and inspect the fortresses of the island, to see that they were at all times provided with provisions and ammunition ; which right the Court enjoyed till the reign of Charles the First, who placed all our castles and forts under the superintendence of the Board of Ordnance.

The principal officers attached to our jurisdiction are the *King's Procureur and Contrôleur*, both of royal nomination, whose duties are in most respects similar to those of the Attorney and Solicitor-General in England. They plead all causes which involve the rights of the crown, on which account they are styled the king's officers. It is their special duty to maintain all the rights and prerogatives in the island, and to be watchful that the ancient customs and privileges of the island be not infringed. They also submit to the Court all such ordinances or legal measures, as they deem expedient for the peaceable government of the bailiwick generally.

Notwithstanding the importance of these offices, they do not appear to have been of so ancient establishment as the Royal Court, as the following circumstance proves. We have seen an abstract from the tally office of a Court of Chief Pleas, held in Guernsey, on the day after the anniversary of St. John the Evangelist, in the twenty-seventh year of the reign of king Edward the First, in which are inserted the names of all the members who attended it : the Governor, the Grand Bailly, the Magistrates, the Sheriff, the King's Sergeant, the Bordiers, the Free Tenants, and a great number of others styled Jurats, from, we suppose, their being sworn to the office on this occasion, and representing their respective constituents, as the Douzainiers do now, or perhaps as Jurats Electors, instead of our modern Constables. However this may be, no mention is made either of the Procureur or the Contrôleur, though this is the most solemn Court we have, and where their presence is now most especially required.

The *Sheriff* is elected, as Sheriffs formerly were in England, by the public voice in the States, and was formerly at the head of the executive. He held views, as coro-

ner; he empannelled juries on inquests; and had the direction of the whole police. At present, the office is woefully shorn of its honors. The Sheriff's principal business is, to see criminal sentences executed, and make arrests in civil cases. He has, however, retained the right to inspect the weights and measures; and gives orders respecting the clearing of water courses. He may nominate two deputies, and has a bushel of corn, salt, lime, and coals, on every twenty tons imported. In the Court of *Plaids d'Héritage*, he is, after the first default, to represent the debtor, and was originally expected to defend his rights, and see that his interest was not sacrificed.

The *Greffier*, or Registrar and Keeper of the Records, is appointed by the Crown: he acts as Clerk of the Court, being obliged to attend at all trials to minute down their sentences, which he afterwards enters in the records. He is authorised by his commission to have two deputies,—has £40 per annum from the Crown, independently of all fees,—and may insist on copying the summons for convening the States.

The *Sergeant* unites two offices essentially separate,—that of Deputy Sheriff and that of Beadle. In the first capacity he executes writs in the Sheriff's absence, and is sworn to defend persons who have left the island without naming some one to represent them, a duty which originally appertained to the Sheriff. In the absence of the king's officers, he has been known to give his conclusions in questions of a public nature. On the other hand, he attends on the Court when judicially engaged, and serves all judicial notices both to the principal parties and to witnesses.

Having now given a brief account of the different officers attached to our civil jurisdiction, we shall return to the Judges of *Assize* before mentioned.

Though these men were originally appointed only to act as assistants to explain the laws to our magistrates, which were very deficient at that time, they used all their means to subvert and destroy our constitution, by encroaching on the Court's authority and privileges both in Guernsey and Jersey.

These usurpations and illegal proceedings prompting the islanders to make complaints against them, king Edward the Third, in the fifth year of his reign, sent over Robert de Scarborough and John de Tamworth, with other men learned in the law, empowered by a special commission to judge and determine "all quarrels and injuries," complained of by the Bailiff and Jurats, or any other person whatsoever.

Another commission was also granted to Robert de Hoo for assisting them in the functions of their office, and defending the rights of the Crown, which most probably gave rise to the establishment of a King's Procureur. In an abstract from the rolls of the king's briefs, concerning the proceedings in a Court of Chief Pleas, held at Jersey in the presence of these royal commissioners, on the Wednesday after the feast of St. James the Apostle, the inhabitants of that island being summoned to give reasons for claiming the right of having twelve judges of their own election, we find a full narration of our insular constitutions, as established by King John, which those judicious legislators confirmed and ratified with some amplifications. Doubtless, the same defence was made in Guernsey, where the inhabitants were equally distressed, and who also obtained relief by the good regulations drawn up by those royal commissioners, called "*Le Précepte d'Assize*," which has ever since been a standing and settled law in the island. The most perfect Extent we have of the king's revenue in those times, was also drawn up by them, wherein they adjusted some articles which had occasioned many disputes between Otho de Grandison, one of the governors of the island, and the inhabitants.

King Edward the Third, in the fifth year of his reign, desiring to have a certified report of the complaints made by the inhabitants to these commissioners, and of their proceedings, sent a letter to his Treasurer and Chamberlain to examine the rolls in the Treasury office, drawn up by the said Robert de Scarborough, &c., in the last voyage they made to these islands, with orders to inform him of the particulars, and engross the same in Chancery under the seal of the Exchequer. It is surprising that though this *Précepte d'Assize* was entered on the records of different offices in England, we have no authentic copy from the original, but only abstracts drawn up by authority on the oath of the most creditable persons in the island, though since confirmed by the sovereigns of England from reign to reign.

From that time the island has been delivered from the tyranny of judges of assize. On very special cases royal commissioners have been sent over to redress our grievances, mostly occasioned by some of our Governors and officers of the army, who, in spite of the good regulations of Queen Elizabeth, have from time to time endeavoured to establish martial law in the island; but all these efforts have been frustrated, though the inhabitants have been put to great trouble and expense in defending their rights.

The greatest controversy in Guernsey happened in the time of Sir John Leighton, who, by his arbitrary government, spread such dissensions among the inhabitants, that justice could hardly be administered; whereon King James the First, on their complaints, authorized Sir Robert Gardner and James Husey, Doctor of Civil Law, to settle all controversies between them, and remove for the future all defects and ambiguities that might be in our laws and customs. These learned men made some regulations on the divers complaints laid before them, called to this day *Les Règlemens des Commissaires*, which serve badly as a rule and guide to our jurisdiction.

The States are composed of the Bailiff, Jurats, and the King's Procurer, the Rectors of the parishes, (who in strictness of law are required to be natives,) and the Constables, who first consult their Douzaine or Corporations, as representing the public in their respective parishes, whose majority of opinions they deliver in this assembly at the Court House. This is called the States of Deliberation. But on the election of a Magistrate or Sheriff, then all the Constables and Douzainiers are personally present to give their votes. This last assembly is called the States of Election.

A convention of the States is only required on extraordinary emergencies, in which generally all the inhabitants are concerned, either for raising taxes for the defence or improvement of the island, or to maintain our privileges, when menaced. The States cannot regularly be summoned to meet without first apprising the Governor, in case he may have any measure to propose in behalf of his Majesty.

They are convened by a notice, or *Billet*, issued by the President, and which contains not only all the matter to be brought under discussion, but the very propositions which the meeting must either adopt or reject; no member having a right to originate any amendment, as the Constables, who represent the people, are mere reporters of the opinions of their Douzaines, and of course have no authority to vote on such amendments. The only members who can deliberate are the *ex-officio* members,—those who are not public representatives, namely, the Court and Clergy, in all twenty-two votes out of thirty-two, and the former moreover the judicial and executive body! The absurd custom of tying down the members to a simple aye or nay, on the question proposed to them by the Bailiff, is one of the consequences of having the States convened only by a *Billet* from that magistrate. The latter originated in the troubled times of the Commonwealth, when the island stood out for Parliament and the castle for the King. Previously to that time, all the Douzainiers attended the States' meetings, and then advised their Constables how to vote, according as the deliberations going on showed them the propriety of so doing. This, however, being in process of time found inconvenient, and the States, in consequence of the troubled state of the island having frequently to assemble, it was agreed that the Bailiff would issue a notice of the objects to be brought under consideration, so that the Constables might take the opinion of their Douzaines thereon, and thus obviate the necessity of the latter's attending the meetings. This, after a while, led to the present absurd system, in which the representatives of the people alone are debarred from availing themselves of any new light thrown upon the subjects under discussion, and of regulating their votes accordingly: they come to the meeting completely tied; and so far as regards practical utility, the people, those on whom taxes are here imposed, and whose money is here voted away, might just as well send as many well trained spaniels, with the decision of each Douzaine upon every proposition tied round their necks.

The next court to be taken notice of is the Grand Assize or Chief Pleas, which are held in the beginning of every term, that is, three times annually: Christmas Term on the Monday following the 15th of January; Easter Term on the Monday after the 15th May; and Michaelmas Term on the Monday after Michaelmas day.

On each of these days the Bailiff, Jurats, King's Officers, Bordiers, and Free Tenants, are required to attend at the Court House under a penalty of three livres tournois to do homage to the King, represented on these occasions by the Bailiff, and they are all allowed a handsome dinner provided by his Majesty's Receiver, at the expense of the Crown. At these meetings, it is customary to enact ordinances, on which account the Governor has a right to be present, to see that nothing is passed into a law which trenches on the royal prerogative, and he takes his seat on the right hand of the Bailiff, whose chair, however, is elevated above all the rest.

We have three sorts of *Cours de Quartier*, Courts of the Quarter, the first of which is kept on every Monday during six weeks in each term, where actions are brought chiefly for arrears of rent and other mobiliary debts.

The second and third are held every other Tuesday during the six weeks, the *Plaid d'Héritage* on one, and the *Cour des Jugemens* on the other, so that we have three turns of each for every term.

The first fact examined into at the *Plaids d'Héritage* is, whether the transactions lately effected in real estates (either purchased in money or in rents) are duly recorded at the Greffe office, in strict conformity with the contract of sale, and also to confirm the title of the purchaser: for, in case any money is paid either for the part or the whole of the purchase, called *bourse déliée*, the next heir to the seller has a right to redeem the said bargain and sale, on refunding the sum disbursed by the purchaser; this is called "*Rétrait Lignager*." All disputes among coheirs and others in matters of hereditaments are discussed in this court, and if any person has neglected to pay his rents or redeem a mortgage, he is sued in the *Plaids d'Héritage* till he has either discharged them, or renounced to his property, under the legal process called a "*saisie*."

As three Magistrates with the Bailiff are sufficient to hold the *Plaids d'Héritage*, they divide themselves into three corps, each taking on themselves this judicial duty alternately. From their sentence an appeal lies to a greater number of Jurats who decide in the Court of Judgments, which must be composed of the Bailiff and seven Jurats at least.

The manner of proceeding in the Court of Judgments differs materially from the course pursued in the Inferior Court, or *Cour Ordinaire*. In this latter, after the parties and their advocates are heard, the Bailiff sums up the case, and each of the Jurats, according to seniority, then pronounces his opinion, *viva voce*, before the public. A bare majority of one decides the cause; but if the votes of the Jurats are exactly balanced, then the Bailiff gives a casting vote. In the Court of Judgments, after the cause has been debated, the Bailiff and Jurats retire into a private room, and there reduce their verdict into writing, and when they resume their seats, the Greffier, who acts as clerk, reads the sentence, but the public have no means of knowing whether the verdict was agreed upon unanimously, or otherwise.

The Court of Judgments is the supreme judicial court of the island, and its sentence is final within the Bailiwick: but an appeal may be lodged with his Majesty in Council provided the sum in question exceeds two hundred pounds in money, or ten pounds in rent, arising out of real estate. Sometimes the Royal Court refuses an appeal to Council, in which case the party may proceed by way of doléance, and lodge a *Plainte des Griefs*.*

What we call a *Vue de Justice* is in case of encroachment on land or property, wherein it is required that the Court should personally inspect the premises, and decide the dispute on the spot, which is most certainly an excellent plan, especially in cases of nuisance.

We have another Court, held on Saturdays during the whole of each term, intended chiefly for criminal causes, whereat the Jurats are more strictly required to appear, as there must be at least seven with the Bailiff, from whose decree no appeal is admitted, not even in sentence of death. There are three cases, however, reserved for the Crown, to wit, high treason, counterfeiting the coin, and striking a Jurat in the execution of his office. In these cases, the Court hear the case, and send up the evidence to his Majesty, who pronounces the sentence.

The islands of Serk and Alderney have each a petty jurisdiction, but an appeal lies from them to the Court of Guernsey.

* We are brief on these subjects, as the whole has been amply stated in the various articles under the head of "Laws and Customs," which have appeared in preceding numbers of this Magazine.

MEMOIR OF THE LATE LIEUT. CARRÉ TUPPER, R.N.*

Of the services of this gallant officer as a midshipman, during the first American war, we have no record; but on the 28th of February, 1782, a few days after he had completed his seventeenth year, he was appointed by Sir Peter Parker, the commander-in-chief at Jamaica, a lieutenant on board his flag ship, the *Sandwich*.

The peace of ten years, which soon followed, proved a bar to his further advancement, although during this period he was constantly employed in different ships; and in 1791, being then a lieutenant of the *Culloden*, he saved, in a most intrepid manner, the life of a seaman who had fallen from the fore yard into the sea, the ship being at the time under sail on her way out with the squadron from Carlisle Bay, Barbadoes.

In the beginning of September, 1793, while serving in the *Windsor Castle*, 98 guns, Vice Admiral Cosby, off Toulon, he volunteered to take the command of Fort Pomot, near that city, the garrison of which consisted of one hundred and

* This Memoir is composed from a rough draft of one recently discovered among some old family papers, and which appears to have been written immediately after the death of Lieutenant Tupper, upwards of forty years ago.

fifty seamen and soldiers. This fort was commanded by an adjacent eminence, on which the enemy erected two batteries, one of two 12-pounders, the other of three 8-pounders, with a 12-inch mortar, and from which they kept a heavy fire on Fort Pomot during the day, as well as endeavouring to surprise it during the night. But by his activity and resolution, not pulling off his clothes for many weeks, Lieutenant Tupper frustrated every attack, and the garrison having, with very great labour and fatigue, strengthened the fort, by placing on the walls large casks and nearly fifteen hundred sacks filled with earth, the defence was protracted until the 9th of December following, when it was found necessary to blow it up. For his services on this occasion, Lieutenant Tupper received the repeated approbation and thanks of Lord Mulgrave, and Generals O'Hara and Dundas, successively commandants of Toulon; and, on his quitting Fort Pomot, Lord Hood immediately appointed him a lieutenant in his own flag ship, the *Victory*.

On the morning of the evacuation of Toulon, Lieutenant Tupper again volunteered to accompany Sir Sidney Smith in the perilous undertaking of setting fire to the arsenal and French ships of war in the harbour. Lieutenant Tupper having been charged with the destruction of the general magazine, the hemp, pitch, and other store houses, was employed the whole day, with his boat's crew of only seven men, in placing the combustibles, expecting that the gates of the yard would be forced open every moment by the enemy, and that they would be all put to death. On the preconcerted signal being made in the evening, Lieutenant Tupper set fire to the different combustibles, (no officer being in the dock yard that night but himself,) but owing to the wind being nearly calm, the destruction, although great, was not so complete as the awful blaze at first gave reason to suppose. Having performed his dangerous task, Lieutenant Tupper proceeded in his boat, to assist Sir Sidney Smith and Lieutenant R. W. Miller* in setting fire to four sail of the line, which had escaped the flames of the *Vulcan*, fire ship.

From Toulon the British fleet proceeded to the reduction of the island of Corsica, and in February, 1794, while near the town and formidable batteries of San Fiorenza, Lord Hood detached the boats under Captain Cooket to endeavour to prevent the destruction by the French of two of their frigates, at anchor under the batteries. One of the frigates was burnt, but the other, although scuttled, was saved; and as the boats quickly pushed on towards the town, which the enemy were evacuating, Lieutenant Tupper, being the second person who landed, immediately ran to the citadel, and hauled down the French colours, which he afterwards delivered to Lord Hood.

On the 10th or 11th of April, Lord Hood entrusted Lieutenant Tupper with his summons of surrender to the commandant of Bastia, and, singularly enough, he, who carried the summons, was the only British naval officer who was slain before the place.

On the 24th April, 1794, Lieutenant Tupper having volunteered to obtain information, if possible, relative to the state of the French garrison of Bastia, he proceeded after dark on this perilous service, and his boat having unfortunately grounded at ten o'clock p.m., under the walls, he was endeavouring to get her off when she was discovered by a sentinel on shore, who fired at her, and the bullet unhappily striking Lieutenant Tupper in the heart, he instantly expired.

Thus fell, in the pride of manhood, a most zealous and intrepid officer, and his fate was the more lamented because Lord Hood had promised him the first commander's vacancy for his services at Toulon, which vacancy occurred only two days after his death, and was consequently conferred on the late Vice Admiral Sir John Gore. And we have heard, but cannot vouch for the fact, that the Admiralty had promoted him for those services, and sent out his commander's commission, before the intelligence of his death was received in England. Had his life been spared a few years longer, he would probably have found an opportunity of distinguishing himself in a higher rank in the many glorious engagements which soon after ensued, as did his more fortunate brother lieutenants at Toulon, Edward Cooke, R. W. Miller, and John Gore.

In person, Lieutenant Tupper was tall and uncommonly handsome, being upwards of six feet in height, well proportioned, and of a mild and most pleasing

* Captain R. W. Miller, commanding the *Theseus*, 74, was killed in 1799, by the accidental explosion of some shells on board his ship, employed under Sir Sidney Smith, in the defence of Acre. He commanded the *Captain*, 74, at the battle of St. Vincent, and the *Theseus* at the battle of the Nile.

† Captain Edward Cooke, while commanding the *Sybilie* frigate, was mortally wounded in 1799, in the capture of the *Ferte*, a French frigate of much superior force, in the Bay of Bengal. The present Commander N. Mauger, of Guernsey, was third lieutenant of the *Sybilie* on this occasion, and first took possession of the prize.

countenance. He was the only son of Major General Tupper,* of the Guernsey family of that name, and his death hastened that of his father, who languished a few months, and died in London, in January, 1795.

Lieutenant Carré Tupper was the first victim of that fatality in this family, to which we alluded in a Memoir of Colonel Tupper, in our February number for 1836, and we are now enabled to subjoin a list of the other members who, like himself, have since been prematurely cut off:—

- 1.—Lieutenant Carré Tupper, slain in 1794, as above.
- 2.—William De Vic Tupper, esq., his first cousin, mortally wounded in 1798, in a duel in Guernsey, with an officer in the army, and died the day following.
- 3.—John E. Tupper, esq., aged twenty, perished at sea, in 1812, in the Mediterranean, the vessel in which he was a passenger from Catalonia to Gibraltar, having never been heard of since.
- 4.—Charles J. Tupper, aged sixteen, a midshipman of H.M.S. Primrose, drowned in 1815, at Spithead, by the upsetting of the boat in which he was accompanying his captain to the ship.
- 5.—Lieutenant E. William Tupper, of H.M.S. Sybille, aged twenty-eight, mortally wounded in her boats, June 18, 1826, in action with a strong band of Greek pirates, near the island of Candia.
- 6.—Colonel William De Vic Tupper, Chilian Service, aged twenty-nine, slain in action near Talca, in Chile, April 17, 1830.—The four last, sons of John E. Tupper, esq., and Elizabeth Brock, his wife, and nephews of William De Vic Tupper, esq., already named, and also of Major-General Sir Isaac Brock, K.B., of Lieutenant-Colonel John Brock, and of Lieutenant Ferdinand Brock, who all fell by the bullet.
- 7.—Colonel William Le Mesurier Tupper, of the British Auxiliary Legion in Spain, and a captain in the 23d, or Royal Welsh Fusileers, mortally wounded near St. Sebastian, May 5, 1836, aged thirty-two.—Colonel Tupper was nephew of W. De Vic Tupper, esq., and first cousin of the four brothers last named.

LAWS AND CUSTOMS OF GUERNSEY.—No. 6.

MOBILIARY COURT.

In the Mobiliary Court, the parishes are divided into lower and upper. The lower parishes are St. Peter-Port, St. Sampson, and the Vale; the seven other parishes compose the upper. Sittings are held alternately, three times for each division; the first Monday being for the lower, and the second for the upper parishes. In the Mobiliary Court, all common debts may be sued for by way of summons, as well as all demands for rent, in the first instance. The first act, obtained against a debtor, supposing him not to answer, is *vers biens*, which was originally a point at which the creditor sent the king's sergeant to seize the personal property of the debtor, but is now a mere form. If, after *vers biens*, the creditor or rentholder intends to proceed against the personal property or person of the debtor, the next act which he obtains is *vers arrêt*, which authorises him to attach either; after which attachment the cause is removed to the Admiralty Court. If, on the other hand, the creditor intends to proceed against the debtor's real estate, he, after *vers biens*, obtains *vers exploit*, which formerly required the creditor, by means of the king's sergeant, to search the debtor's estate on three consecutive days, for the purpose of ascertaining whether he possessed any personal property which might be taken in execution, previously to the creditor's being allowed to seize upon the estate itself; the *vers exploit*, however, which it thus appears was intended as a protection to the debtor's real property, has also degenerated into a mere form, though the king's sergeant must still report having gone for three days consecutively on the debtor's premises, before the next point, which is *vers saisie*, can be obtained. After *vers saisie*, the case is removed to the Court of Heritage.

* This officer served as a captain of marines, at the celebrated defeat of the French fleet, in Quiberon Bay, by Sir Edward Hawke, in 1759; as a major and commandant of a battalion at Bunker's Hill, in 1775, (where the marines greatly distinguished themselves, and in consequence won the laurel which now encircles their device); and as a colonel in Rodney's victory, of 13th April, 1782, having been sent out to command the marines in the fleet, in the event of their being landed on any of the enemy's West India Islands. At his decease he was commandant-in-chief of the marines, which corps he entered by purchase in 1747, and was made a Captain in 1766. A monument is erected to his memory, and that of his only son, in the church at Chatham.

SATURDAY COURT.

The Saturday Court is held from the second Saturday after the opening of the Chief Pleas in January to the Saturday before the Holy week ; from the second Saturday after the Easter Chief Pleas to the 15th July ; and from the second Saturday after the Michaelmas Chief Pleas to Christmas. Here all cases postponed from the Mobiliary Court, and upon which the plaintiff has not obtained *vers biens*, may be continued, and new actions, except for the payment of wheat or other perpetual rents, entered and carried as far as that stage.

ADMIRALTY COURT.

The Admiralty Court is so named from its having been, in its origin, specially restricted to maritime cases, such as actions for sailors' wages, freights, insurances, &c. At present its jurisdiction is far more extensive. All cases of emergency have the same privilege as maritime ones, particularly arrests, whether of the effects or person ; and as by an order in council, dated 13th May, 1823, the effects of all persons, inhabitants as well as strangers, are now liable to arrest by warrant, the business of this court has of late so considerably increased as to absorb a great deal of the business of the Monday Court, which is now principally confined to demands for rent charges. Admiralty cases are tried at all times, in and out of term. The usual day is the Saturday, and this all the year round ; but they are also heard in term on every court day, after the special business of the day, and extra days are sometimes appointed for hearing them exclusively.

The bailiff and two jurats suffice to hold the Mobiliary, Saturday, and Admiralty Courts, but at these, as well as at the Court of Heritage, where three jurats are required, any of the other jurats besides those of the *quartier*, or term, may assist. This circumstance, if it have its advantages, has likewise its disadvantages,—for it may happen, and indeed it has sometimes happened, that a judgment after being given in one of these courts by a bench composed of from seven to twelve jurats, has been appealed from to the Court of Judgments, and been there heard—irreversibly if the case was not susceptible of an appeal to council—by precisely the same, or perhaps a less, number of jurats,—seven of them, as before stated, sufficing to compose the Court of Judgments.

The proceedings in all the courts are carried on in the French language ; but English suitors are at all times allowed to address the court, or examine witnesses, in the English language.

The bailiff generally comments upon the evidence adduced, or the arguments made use of, in the course of the pleadings, and then collects the opinions of the jurats, and declares the sentence. The jurats express their opinions publicly, and the reasons upon which they are grounded, except in the Court of Judgments, when the bailiff and jurats, accompanied by the greffier, retire and agree upon their decision in private, and the greffier on their return reads the sentence in open court.

All cases are decided by a majority of the jurats' votes,—the bailiff having only a deliberative voice, except in the event of an equal division, when he has a casting vote.

The simplicity of the forms of pleading which are observed in all the Civil Courts above-mentioned, constitutes a perfect contrast with the subtlety, ingenuity, and perplexity, in which such forms are involved in most, if not all, the English courts. As this may appear a startling assertion, it will not perhaps be improper briefly to exhibit the contrast. "The first great rule of pleading," it has been said by the late Lord Chancellor, Brougham, "should be to induce and compel the litigant parties to disclose fully and distinctly the real nature of their respective contentions, whether claim or defence, as early as possible."* But in England the defendant comes into court upon a count of declaration which conveys no precise knowledge of the plaintiff's demand. "Take for instance," observes the same high authority, "the Common Counts in Assumpsit, being those constantly resorted to ; and take the most common of these, the count for money had and received. The plaintiff declares, that the defendant, being indebted to him for so much money had and received to the use of the said plaintiff, to wit, one thousand pounds, undertook and faithfully promised to pay it, but broke his engagement ; and the count is thus framed, the self-same terms being invariably used, whatever be the cause of action which can be brought into court under this head. Now,

* Brougham's Speech on the State of the Law, p. 69, in the House of Commons.

observe how various the matters are which may be all described by the foregoing words. In the first place the declaration is for money paid by one individual to another, for the use and benefit of the plaintiff; this is what alone the words of the count imply, but to express this they are rarely, indeed, made use of.—Secondly: The self-same terms are used on suing for money received on a consideration that fails, and used in the same way to describe all the endless variety of cases which can occur of such failure, as an estate sold with a bad title, and a deposit paid,—a horse sold with a concealed unsoundness, and so forth.—Thirdly: To recover money paid under mistake of fact.—Fourthly: To recover money paid by one person to a stakeholder, in consideration of an illegal contract made with another person.—Fifthly: To recover money paid to revenue officers for releasing the goods, illegally detained, of the person paying.—Sixthly: To try the right to any office.—Seventhly: To try the liability of the landlord for rates levied on his tenants. What information, then, does such a declaration give? It is impossible, on reading this count, to say which of the seven causes of action has arisen; and it is not merely those seven, for each of them has a vast number of varieties, which are all declared in the same words.* The same obscurity exists with regard to actions in Trover, Torts, Trespass, and others, in some of which the case is even worse than in Assumpsit.

Now, in Guernsey the “first great rule of pleading” laid down by Lord Brougham, is observed to the letter. The plaintiff, at the very outset, is obliged to serve on the defendant a copy of the declaration, in the form of a summons, in which he must disclose, fully and distinctly, the real nature of his claim, and in some cases add the reasons upon which it is grounded. So particular indeed is the court in enforcing distinctness and amplification, that it is no unusual thing for a plaintiff to be sent back to reform or amplify his declaration before the court will entertain it. Both parties appearing before the court with a full knowledge of what they are come for, the case must, after two delays which, in most instances, are allowed the defendant, come to a hearing. If the defendant mean to plead any objections in bar of the suit, it is at once heard and disposed of. If, on the contrary, the parties join issue on the merits of the case, and the question be neither intricate, nor such as to require witnesses to be heard, the Court at once hear the parties and their counsel, and give their decision. If witnesses are required, a rule of court is granted, ordering them to be heard,—and if the case be an intricate one, involving a multitude of facts for consideration, the parties are sent before one of the Jurats, styled *Commis*, who, after hearing them and their counsel, prepares a report in which are recorded their respective pretensions and objections,—the written evidence and documents they intend to produce in the course of the suit,—and in which the whole matter in dispute is so condensed as to present it to the court in so plain a manner as to enable it to come to a decision without difficulty or confusion. The *Commis* is always supposed to draw up the report; but this in practice is not usual.

B—.

NOTES OF THE MONTH.

GUERNSEY.

Regal Court.—The long pending law-suit arising out of the affairs of the island of Herm, has been brought to a close, and Mr. Cox, one of the directors of the British Commercial Life Insurance Company, of London, has succeeded in dispossessing the former proprietor, and securing the estate to himself and his partners. As there were many points of law decided in this case, which have now the force of precedents, it is right that all the facts should be succinctly placed on record; and the following report may also teach the prudence of distrusting mercantile houses who have a nominal reputation for respectability, more particularly the Insurance Company in question, who carry on business at 35, Cornhill, London.

The former proprietor of Herm had a credit with the late firm of Rickards, Mackintosh and Co. in 1839, for £60,000, for which they held a mortgage on the island, and acted as agents in

the granite trade. In 1831, there was a cash balance due to them of about £23,000, and they pressed for its reduction. This seemed extraordinary, as they were deemed to be opulent, and still held their security; but their subsequent bankruptcy explained the true motives of their conduct. With a view to meet their wishes, a new agreement was made between them and the proprietor of Herm, which fixed a certain mode of payment by defined instalments. The proprietor then formed a partnership with Ebenezer Fernie, managing director of the British Commercial Life Insurance Company, and Mr. Antony Nichol, of Dowgate Wharf, London, it being expressly stipulated, among other conditions, that they held their interest *subject to the agreement* mentioned with Rickards, Mackintosh and Co.—Nichol had the exclusive management of the business in London, and received about £900 from Rickards and Co. for the pay-

* Speech on the state of the law, pp. 70, 71.

ment of freight, which he refused to refund, with the commission, and instalments stipulated. In consequence of this, Rickards and Co. attached the island of Herm by virtue of their mortgage, and finally obtained a decree of Privy Council in their favour. The proprietor of Herm was about to enter an action for damages against Fernie and Nichol for breach of covenant, but that was dropped in consideration of the following arrangements.

It was agreed that Nichol should quit the concern, and be replaced by a Mr. Martyn, a personal friend of Fernie's: that they should provide for the payment of the balance due to Rickards & Co.; that a new partnership should be formed for twenty-one years; that Fernie and Martyn should provide a capital of £10,000; that they should pay to the proprietor of Herm, £300 per annum during the period of partnership, profits or no profits, and that any profit which might arise out of the business should be equally divided in thirds. On this understanding, the old transactions were to be considered closed, and the new partnership to be formed.

In order to pay the claim of Rickards & Co., Fernie proposed to borrow a sufficient sum from his own insurance company, which he did, but as they never lend money out of Great Britain and Ireland, without a guarantee within the jurisdiction of Westminster, Fernie himself became their personal debtor, and the money was advanced on his written obligation and security. To satisfy another of the rules of this insurance company, the proprietor granted a lease of Herm for twenty-three years, at an annual rent of £800, to Fernie and Martin, in order that the company might hold their guarantee in London for the regular payment of the interest on their loan. The proprietor then agreed to transfer the old security of Rickards & Co., to Cox, as one of the directors of the company, without requiring any clause for the period of payment, he regarding the transaction as one of honour and good faith, never suspecting for a moment that a body of British merchants, calling themselves gentlemen, would have been guilty of a baseness from which the notorious Ikey Solomons would have shrunk.—But to the fact. Fernie neglected to pay the interest. Cox attached the property, under the judgment of Rickards, and is now proprietor.—A few words on the *honesty* of this proceeding. Fernie, as managing director, receives a salary from the company of £1,000 per annum; therefore, they could have taken the interest, which was £300 per annum, out of that fund. For their capital, they held Fernie responsible, and could have made him pay, instead of plundering the proprietor of the estate. Yet did they adopt this course, without writing a single letter, making a single demand, or offering one word of explanation. Nor is it the least curious part of this unprincipled transaction, that the counsel for the company in Guernsey declared frequently in court that the whole property was not worth half the amount of their claim; nevertheless, Cox attached this worthless estate, while he could, had he been so disposed, have recovered the full amount by suing Fernie. To a man of common sense and common honesty this fact alone speaks volumes.

But what does Fernie gain by the assistance thus rendered to him by his partner Cox, his partner in the insurance office? Let us explain his' advantages. He is released from paying £300 per annum to the former proprietor for the next eighteen years: he is no longer liable to pay the interest due to the Earl of Sheffield and the Honourable Hugh Lindsey, which he personally covenanted to do,—and by arranging with his insurance company, instead of holding one-third of the estate as a partner for twenty-one years, he at once becomes sole proprietor for ever. We shall send this copy of the Magazine to every insurance office and every banking house in London, in order that the true charac-

ter of the British Commercial may be known in the mercantile world, and we earnestly call on the editors of the London newspapers, to give this statement every possible publicity.

Important to Shopkeepers in tenancy.—This was a question submitted to the Court by Advocate MacCulloch, on behalf, both of the saisie of the house, and of the creditors of the late Mr. Henry Sinclair, the object of which was to ascertain what fixtures in the shop were to be regarded as immovable property.—The court judged, 1st that the nests of drawers, the counters, the glass cases, all of which are fastened to the building,—an iron chest fixed in a wall, a copper and also an alembic, bricked in,—that all these were immovable property; 2d. that the gas burners were not immovable property, and could therefore be sold.—Some of the creditors thought, that although the frame-work of the nests of drawers might be regarded as immovable property, yet that the drawers themselves might be removed; but it was ruled otherwise, on the ground that the removal of the drawers would leave the shop in an unsightly state, and render the removal of the frame work absolutely necessary. The case was different with regard to the gas burners, which could be unscrewed and removed without impairing the appearance of the shop.

The Bailiff submitted to the Court a letter from the Board of Ordnance, communicated to him by his excellency the Lieutenant-Governor, in which the Board required to be allowed to remove the brass locks from the various powder magazines in this island belonging to the States which have been used by Government,—the said brass locks having been placed there by Government. The demand was regarded as an extraordinary one, considering that the magazines were built at the expense of the States of this island, and used rent free by the Government; and as the locks were considered to be real property, the Court were unanimously of opinion that the Board of Ordnance had no right to take away the locks.

The Bailiff adverted to the circumstance of a cargo of potatoes having been imported from France, and said it would be proper to take measures to guard against any part of it being mixed with the exportations of Guernsey potatoes now making, or about to be made, for England. After some conversation on the subject, it was resolved that Mr. Robert Waterman, butcher, who was reported to have purchased the cargo, should be sent for.

On his arriving at Court,—the Bailiff asked him whether he had not purchased a cargo consisting of 530 bushels of potatoes arrived from France. He admitted that he had. The Bailiff told him there could of course be no objection to his having done so; but that he would now be responsible should any part of that cargo be mixed up with any cargo of Guernsey potatoes shipped for the London market,—and in order to guard against that, it would be required of him to keep an exact list of all the persons to whom those potatoes might be retailed. Mr. Waterman said that no part of the cargo was intended for exportation, except perhaps as sea stock to vessels leaving for abroad,—that they were in the store of Mr. Mahy, who had the disposing of them, and that he would request him to keep a list of the purchasers as required.

A native Seaman, wrecked on a foreign shore, not entitled to relief from Mr. De La Court's Fund.—Nicholas Langlois, a native of this island, and one of the survivors of the crew of the brig *Calcedonia*, of this port, which was wrecked on Christmas-day at Licata, near Sicily, when the master, Mr. Mignoe Manger, and three of the crew, perished, appeared at the bar to claim relief from Mr. De La Court's fund. He stated that he was in a most destitute state, having lost every thing but the clothes he had on, when the vessel was wrecked.

The Court were of opinion that his case did not come within the intention of the donor to this fund, the vessel having been wrecked on a foreign shore.

The poor man said he thought it very hard, that he, a native inhabitant, could get no relief, whilst relief would be readily afforded to foreigners wrecked on the coasts of this island.

On the application of Mr. Whitfield to erect a rectifying distillery, either at Fermain or Petit Bo, the Court, after much difficulty, granted his request, on Mr. Whitfield's giving bail that he would not sell any of the spirits so distilled in Guernsey, and on his pledge that whatever was exported, would be sent to foreign countries.

Chamber of Commerce.—The Committee, anxious to stimulate the local trade of the island, resolved to address the bailiff on the expediency of submitting to the States certain propositions, having for their object the working of the oyster bank near Castle Cornet.

Official Appointments.—Mr. Nicholas Moullin, Pouches, was elected treasurer of the Country Hospital, in the room of Mr. Ozanne, des Landes, deceased. Mr. Charles Machon, of the Strand, and Mr. Nicholas Le Messurier, of Fountain Street, were sworn into the office of Assistant Constables. Mr. John Lainé Le Pelley was elected one of the Douzaniers of the Catel parish, to fill up the vacancy caused by the death of the late Mr. Ozanne; and in the Vale Parish, Mr. Ogier succeeded the deceased Captain Fiers, in the douzaine.

De La Court's Fund.—William Collings, Esq., Jurat of the Royal Court, and Peter Martin Carey, Esq., a native of Guernsey, but resident at Taunton, Somersetshire, have most munificently contributed to this excellent charity, the former having presented £100, the latter £300. We recently drew public attention to this subject, and we may say without any undue compliment, that this Magazine has been mainly instrumental in procuring these valuable additions to the fund, an encouraging proof of the utility of the publication.

Miscellaneous.—The following letter has been presented to the Bailiff by a great number of rate-payers.

"SIR,—we beg leave to lay before you a plan for a sheltered Vegetable Market, which we request you will have the kindness to submit to the approbation of the States.

Such a Market requires a spacious site, and a contiguity to the Markets,—advantages which you will observe this plan embraces, presenting a front of 230 feet in line of the Assembly Rooms, and a depth of 66 feet, containing about thirty-two perches.

Of this site the States may become possessed by a diminution in the revenue of only £180, namely:—

Cole's Hotel.....	£55	0	0
Two small houses at the end of the rooms.....	48	0	0
And the house at present occupied by Mr. Dorey, which would, it appears, be accepted in exchange for the rector's ground.....	77	0	0

£180 0 0

The cost of erecting the Market is estimated at £2,600.

This is the whole expense that would be incurred for the perfecting of our Market edifices and to you, Sir, whose consideration for the wants and comforts of the poor is among the prominent features in your character, we need urge no other recommendation of the proposed plan, than that its adoption would deliver numberless females from the evils to which they are subjected by an exposure to the inclemencies of the weather.

We have the honour to be, Sir,
Your most obedient Servants."
(Here follow the signatures.)

The Admiralty have removed the Ivanhoe steam packet from the Weymouth station, and for the future the mails will be carried by only two vessels.

The Annual Report of the Guernsey Mechanic's Institution shows that the receipts barely exceed the expenditure, and contains a very just and powerful appeal to the public for encouragement and support.

The handsome piece of plate voted by the States of Guernsey to our amiable Governor, was presented to him by the Bailiff, Lieutenant Bailiff, and the deputation appointed for that object. On it the following inscription is engraved:

FROM THE STATES OF GUERNSEY,
TO HIS EXCELLENCY MAJOR-GENERAL JOHN
ROSS, C.B.,

Colonel of the 98th Regiment,
and eight years Lieutenant-Governor of that
island.

In commemoration and grateful recollection of the uninterrupted harmony that has subsisted between them, of the benefits conferred on the Inhabitants, and of the general prosperity—fruits of his wise administration—during that period.

Guernsey, 21st September, 1836.

On appeal to his Majesty in council, it was decided that the island of Herm should pay the impost on spirituous liquors, in violation of that primary constitutional principle which declares taxation and representation are reciprocal.

Capt. Thomas Mansell, R.N. of Guernsey, was created Military Knight Commander of the Royal Hanoverian Guelphic Order, and Knight of the Royal Swedish Military Order of the Sword.

JERSEY.

Royal Court.—Lotteries.—At the sitting of the court, the king's advocate, in the absence of the attorney-general, presented to the court the order of His Majesty in council, disallowing the act of the States re-establishing lotteries, of which the following is a copy:

"At the Court at Brighton, the 28th of Jan., 1837,—Present, the king's most excellent Majesty.

"Whereas there was this day read at the board a report from the right honorable the lords of the committee of council for the affairs of Jersey and Guernsey, dated the 20th inst., in the words following, viz:

"Your majesty having been pleased, by your order in council, to refer unto this committee an act passed by the States of the Island of Jersey, on the 19th of December last, for repealing an act passed by the said States in the year 1834, abolishing lotteries in that island, their lordships, in obedience to your Majesty's said order of

reference, this day took the said act into consideration, and do agree humbly to report as their opinion to your Majesty, that it is not advisable that the said act should receive your Majesty's royal approbation.

"His Majesty having taken the said report into consideration, was pleased, by and with the consent of his privy council, to approve thereof, and to order, as it is hereby ordered, that the said act of the 19th December, 1836, be, and is hereby disallowed. Whereof the governor, lieutenant-governor, commander-in-chief, bailiff and jurats, and all other His Majesty's officers in the island of Jersey for the time being, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

(Signed) W. L. BATHURST."

The court directed the order in council to be lodged *ex greffe*, and referred the same to the consideration of the States.

Resignation of Judge Le Couleur.—On Thursday last, Sir John De Veulle, bailli, received an order from the lords of His Majesty's privy council, dated the 6th instant, transmitting to the States the petition presented by Judge Le Couleur, to be allowed to resign his office, as also several of his papers in support of such request.

Chamber of Commerce.—At a meeting of the Chamber of Commerce, the unanimous thanks of the meeting were voted to Captain James Griffin, of the barque *Moutaineer*, of Liverpool, for the courage and humanity displayed by him in saving the life of Captain Bigarreau, and five of his crew, from the wreck of the brig *Seneca*, of this island, on the 27th December last.

The chamber then adjourned to hear the reading of some proposed regulations for its future guidance, when a long discussion took place. A proposition had been made to raise the subscription to 30s. per annum, but rejected,—the subscription therefore remains at one pound. With respect to the ballot, it was decided that one black ball in four should be sufficient to reject a candidate. This was formerly done by the majority only. It was also decided that the society might at any time be dissolved by the vote of the majority. In the event of a dissolution, it was resolved that the funds (which now amount to £1000) should not be divided amongst the members, but appropriated to some commercial improvement of the island.

The annual general meeting was held at the Chamber of Commerce to elect officers for the present year, when Messrs. Fra. Le Breton and Ph. W. Nicolle were re-elected president and vice-president. Members of the committee: Messrs. Ph. De Quetteville, Daniel Janvrin, John Durell, Nicholas Le Quesne, son of John, and Francis De Ste. Croix. Trustees: Edward Nicolle, jurat, Lewis Poignant, J. H. Gosset, and Peter Hemery. The secretary, Mr. John Roisler, was unanimously re-elected.

Committee of Harbours.—This committee met for the purpose of examining different accounts of the year 1836. The result of the inquiry is, that the total sum still due on the harbours amounts to £14,933 6s. 8d. sterling. The committee having ordered the re-imburement of £1,600 on that debt, it is now reduced to £13,333 6s. 8d.

The harbour of St. Helier's has produced, during the year 1836, the net sum of... £1939 3 5
Gorey harbour..... 246 13 5
St. Aubin's harbour..... 101 2 4
Rozel harbour..... 16 0 0

The weigh-bridge of St. Helier's has produced, during the same year, £204 7s., of which sum the public revenue receives one-half,—
St. Helier's..... £102 3 6
Gorey..... 12 12 6
St. Aubin's..... 15 8 0

The committee has paid to Lieutenant Spartes, and the men under his command, as also sundry expenses for the boat employed for establishing the oyster beds during the year 1836, £227 17s. 11½d.

The Weigh-Bridge.—The following is the amount of the net produce of the weigh-bridge of St. Helier's, which has been paid into the public fund since its establishment in 1827, to 31st December, 1836; viz:

From the 29th September, 1827,	
to the 31st December, 1836...	£140 16 3
In 1829.....	73 3 0
In 1830.....	99 10 7½
In 1831.....	99 11 4
In 1832.....	100 6 1
In 1833.....	68 17 3
In 1834.....	115 5 1½
In 1835.....	94 3 3
In 1836.....	102 3 6

Total.... £913 16 5

This, however, forms only one half of the receipts, as the superintendent of the weigh-bridge takes the other half for his services.

Mortality.—In ten weeks, there have been one hundred and thirty-two funerals in St. Helier's parish alone,—viz. from January 1 to March 12, 1837. The mortality, we believe, has been chiefly amongst aged persons.

Miscellaneous.—The office of Inspector of militia in Jersey is abolished, and the assistant inspectors are, in future, to deliver their weekly reports every Saturday at the governor's office.—Mr. Hartung's new musical promenade will be open to subscribers every day during the season, after the 1st of May.—There are seventeen debtors, and sixteen other prisoners, confined for various crimes, in the public gaol.

SARNIAN MELODIES.—No. 10.

THE ORANGE TREE.—Written during the late Snow Storm.

Sheltered by a lofty wall,
On a cold and wintry day
I marked, as I shunned the fall,
Where a fragrant orange lay.

Snow, 'tis true, is seldom seen,
Mantling, from some fleecy cloud,
O'er these ocean specks of green,
Its sombre, still, and deathlike shroud.

Locked in icy fetters fast,
Drear the drifting shower see
Whirled along the eddying blast,
Thick around the doomed tree.

Shrunk was every winged leaf
That had mocked the emerald's pride,
Burnt each flower, each blossom brief,
With the snow that might have vied.

Stranger! once thy parent trees
Might have on Provence's shore,
Waving in the citron breeze,
Fanned some amorous troubadour.

Beauteous exotic! in thee
Shrivelled verdure, fallen flower,
Many an author's type I see,
Mourning o'er his feeble power.

In thy buds of snowy hue
Nipped thus early by the frost,
Many a project fond I view
By relentless fortune crost.

In thy blossoms wan and cold
I behold my frequent loss,
Thoughts, that unexpressed, seemed gold,
Once defined, turned to dross.

Thus I would my native isles
Lived in song for evermore,
But no pitying goddess smiles
When on folly's wings I soar.

E'en the few that genius warms
With its true, pure flame sublime,
Like thee, too, display their charms
Far from their own native clime.

THE

GUERNSEY & JERSEY MAGAZINE.

MAY, 1837.

SKETCH OF THE EIGHTEENTH CENTURY.

TIME past is the teacher of the present and the future. From what *has* been, we may speculate on what *may* be, and predict the destinies of posterity. The printing press seizes years and centuries as they fly, and, preserving from oblivion the memory of passing events, places on record the wisdom and the folly of modern generations, to serve as beacons and landmarks to their descendants. It is in this sense, that history has been well defined to be "philosophy teaching by examples."

It is natural, on the expiration of any period of time, to pause, and look back on its most prominent features and events; those that recur most frequently to the mind, stand forward prominently on the canvass, and throw other occurrences in the back ground. The justest and most complete representation of any period of time would be an exact enumeration of all its vicissitudes and events; but that is the department of continuous narrative and minute description. It will readily be conceded, that the character of an age is to be collected from as many of the leading events, as may be compressed within such a picture as may be contemplated at one view, without distraction, without difficulty, and without details; for details, even the most summary, would shade and efface the great lines, by means of which alone it is possible to make a picture.

On a general review of the state of society, or of human nature, in the eighteenth century, the ideas that recur the most frequently, and remain most strongly on the mind, are the three following. Firstly, the intercourses of nations were more extensive than at any former period with which we are acquainted. Secondly, the progression of knowledge was more rapid. Thirdly, the discoveries of philosophy were applied more than they had ever been before to practical purposes.

The intercourses of men and nations may be divided into personal and mental. In the period under review, both these modes of com-

munication were more extended than at any anterior date. Navigation, tutored more and more by astronomy, and further aided by the improvement of instruments for the mensuration of time and space, explored the most distant seas and shores, and commerce expanded itself in every direction. In the reigns of Louis the Fifteenth and Louis the Sixteenth of France, but, above all, in the reign of George the Third of Great Britain and Ireland, the spirit of discovery and exploration of the most remote and unknown regions of the globe took a wider, though not a more daring course, than it had ever done, even under Ferdinand and Isabella, and their successors on the Spanish throne, and our Elizabeth. Not only were the north-western coasts of Africa explored, but in some measure the interior of Africa. A new and nobler passion than the thirst of either gold or conquest, enlisted in the service of navigation and discovery; travels and voyages were undertaken with no other view than that of ascertaining the real figure, and perfecting our knowledge of the globe, and for the alleviation of human miseries and the multiplication of human comforts, even among the most remote and barbarous tribes, often, not only ungrateful, but jealous of, and even hostile to their generous benefactors. During the eighteenth century, voyages of discovery were made by the French, English, and Spaniards, and also by the Danes and Russians. Russian colonies were planted on the north-east coasts of Africa, communicating easily by means of numerous islands, and almost touching on the north-west coasts of America. All those European nations were careful to leave useful seeds, animals, and utensils among the savages, a fact worthy of fixing the attention, as it shows the civilized and humanizing spirit of the age, when contrasted with the conduct of the Portuguese discoverers of Brazil, the Spanish invaders of Mexico, and the predatory hordes known as the buccaneers.

The intercourse of minds, at first merely verbal, was facilitated, improved, and extended by the art of writing, and still more, in later times, by the art of printing; to which may be added, as the offspring of the eighteenth century, the establishment of posts, packets and telegraphs. By their united aid, the facilities of mental intercourse were so much enlarged, as to conquer distance, and to draw nearer together, not only the capitals of Europe, but the different quarters of the globe. A voyage to India was now performed in as short a time, as one across the Atlantic ocean in the seventeenth century. The sciences continually act and re-act on each other, and any single abridgment of labour produces a corresponding diminution of it in every other department of human occupation. Thus it happened that the extension of navigation was accompanied with many and great improvements in marine astronomy, the knowledge of distances, of tides, winds, and currents, the bearing of coasts, and what may be called submarine geography

There is an intimate connection between this extended intercourse and collision of minds, and the accelerated progress of knowledge. It sufficiently appears from history, literary, natural, and civil, that all useful arts, and all the hints that have chiefly contributed to the promotion of science, have been furnished more by accident than design. In times and regions, solitary and sequestered, Hippocrates observed, with truth, that art was long and life short. In the age under review, and particularly towards its conclusion, the labour of art was shortened more than it had ever been, in any former period, by its own progression. The manner in which extended intercourse accelerates the progress of knowledge, seems to be twofold :—it enlarges the sphere of facts; and thus to our experience and observations, concerning those facts, it adds those of others. Amazing discoveries were made in the eighteenth century, not only of islands and natural productions, but of mankind existing in a state of society unknown before, and not even dreamt of. That *pudor circa res venereas*, that particular reserve and modesty, which had been generally considered as peculiar to the human race, and which Grotius and other philosophical theologians believed to be traditionary, and a proof in favour of the Christian religion, was found to have no manner of existence at Otaheite. Now, as every fact and well founded conclusion is to be compared with every fact and every conclusion already formed and known, our knowledge is increased, not merely as our knowledge of facts and classes of facts increases, but in a much higher, and, as it were, in a geometrical progression.

Perhaps the most comprehensive and accurate arrangement of all the branches of knowledge would be the following : we say *perhaps*, for all rigid definitions are too dangerous to stand clear of particular exceptions. First, mind exercised on matter ; secondly, matter ; thirdly, mind.

The first of these classes comprehends physics, or experimental philosophy, including optics, astronomy, hydrostatics, pneumatics, mechanics, magnetism, electricity, and chemistry.

The second comprehends matters of fact, and hypothetical theories. The first of these subdivisions, comprehending the results of particular observations and experiments, whether designed or accidental ; the second, that view of the operations of nature, which is formed by the imagination, according to habitual associations ; which is, indeed, loose, popular, and only analogical, but, nevertheless, useful in dividing the labours of philosophy, and employing them in a course of well directed experiments. This second subdivision of the second class refers principally to physiology, comprising the theory of the earth, mineralogy, and zoology. Under the head of zoology, some philosophers have taken the liberty of classing theories of physic ; though they admit that

medicine, in its just extent, embraces the state of the mind as well as that of the body. Electricity, magnetism, and chemistry, are arranged under the first head, although these studies, as far as they are collections of facts, belong properly to the second: and to the first, only so far as they are theoretical. In different respects, it is evident that they belong to both.

Out of the first and second classes, particularly the heads of mechanics, botany, mineralogy, and chemistry, spring the three great pursuits of the industrious and busy world. 1. Agriculture. 2. Arts. 3. Commerce.

The third class, mind, comprehends metaphysics, logic, and ethics. This division of the sciences, however it may be carped at by small critics as arbitrary, will aid the memory of the historical student in recollecting the great and manifold discoveries of the eighteenth century. Wonderful improvements in optical glasses opened a vast and unbounded theatre to our perceptions, and promised to carry our views still farther and farther into the universe. The discovery of different kinds and properties of gases at once enlarged the power of man over nature to a prodigious extent, seeming to draw aside the veil, and exhibit the whole material creation under a new aspect. The most solid substances appeared to be fluids, not in an æriform, but in a fixed state. A constant transition was discovered from solidity to fluidity, and from fluidity again to solidity. The world was almost regarded as an optical illusion. Electricity, by an acquaintance with which miracles were performed, began to be considered as the great agent throughout all nature. There appeared to be a striking affinity and analogy between this power and magnetism, yet, as if to check our propensity to simplification, and prevent us drawing in the net of investigation too hastily, proofs were exhibited, that these two astonishing powers were very different. As knowledge thus extended the power of men over the material world, their enterprize and industry were stimulated into fresh exertion. Steam engines, looms wrought without hands, and various other mechanical inventions, performed the labour of hundreds of thousands, and even of millions of hands. Yet these hands quickly found other employment in the multiplied projects of manufacturers and merchants. But there was no object on which the extended sway of science was so visible as on the most useful and necessary of all human pursuits, to wit, agriculture. Agricultural machinery was improved considerably; the nature of the juices designed for the nourishment of vegetables, was explored, as well as the manner in which they were transmitted to their organs, and the character of different soils was deeply investigated.

With regard to the third class, in that division of the sciences which

we have followed, to wit, *mind*, the true method of philosophizing began to be applied to this, as to other subjects, with a sufficient degree of success to encourage the experimental pneumatologist to continue his observations, and test the stamina of ancient hypotheses and modern theories. Certain theories, according to which ideas, and emotions, and passions, succeed or pass into one another, in the human mind, were universally recognized, and seemed to be as certain and undoubted as those of attraction and gravitation.

Agreeably to the speculative and enterprizing genius of the age in other departments, great boldness was used in the application of the moral nature of man to the science of politics. To philosophers in different countries, particularly in France and Germany, there appeared to be a wide and unbounded scope for discovery and invention, in the conduct of education, the framing of laws, and the establishment of constitutional forms of government. They not only inculcated political rights, but taught how to form political powers. The modern discovery in politics, of legislative representation, though not peculiar to the eighteenth century, was then a subject of more serious attention than it had ever been before. The contest between Great Britain and her American colonies, illustrated the natural and just connection between representation and taxation. Association and union, a coincidence of opinions, and a concert of wills, were also the engines that subverted the ancient order of things in America, and which opened a passage for the introduction of the great instruments of reform in other countries. Clubs and associations, ramifying, multiplying, and extending themselves by affiliation, over countries, kingdoms, and even distant empires, like the brotherhood of free masons, formed a mighty engine of political power, which, when it draws along with it public opinion, becomes wholly irresistible. There is a tide in the affairs of nations, as well as of individuals,—a tide which the most sovereign princes cannot command, but on which they are borne along, despite their most vigorous opposition. It is this progress of public opinion, and public spirit emanating from public opinion, that lays the train which sooner or later breaks forth in grand revolutionary explosions.

A very striking and important example of the means by which, in the hand of Providence, the world is governed, may be found in the history of the reformation, to which we may be permitted to refer without being censured as too digressive, the rather because this great event was the forerunner, and prepared the way to that general fermentation which burst forth, towards the close of the eighteenth century, in such violent political convulsion.

Had the whole christian world, at the time when Luther began to preach against indulgences, been devoted to the Roman faith, however

absurd the doctrines of the clergy, and however profligate their lives, he could not possibly have met with any considerable success. But the never-ceasing contests between the popes, on the one part, and the emperor and other sovereign princes, on the other part, diminished of themselves the ancient reverence for the papal jurisdiction, and roused an enquiry into the grounds on which it was established, an enquiry most powerfully facilitated by the revival of literature. The researches of grave theologians and laborious antiquaries were followed by the ridicule of wit and humour. Savanorola and Wicliff were aided by Dante, Petrarch, and Erasmus. In the beginning of the sixteenth century, the primitive doctrines of Christianity had taken root in almost all countries of Europe. The materials for reformation were collected, and the foundations laid deep, before Luther and Calvin raised and completed the superstructure. The minds of men being thus prepared, the doctrines of the reformers spread far and wide. The reformed religion was adopted and protected by sovereign states and princes; and, after a war, continued with little intermission for more than a century, it was firmly established as the national worship of nearly the half of Europe, together with the balance of political power, by the peace of Westphalia, in 1648.

The essential doctrines of the Reformation were, the principle of civil and religious liberty and the right of private judgment in matters of opinion. These shook the haughty fabric of the papal throne to its foundations; and these very same doctrines, expanded with the advance of literature, the firm friend and ally of freedom, sapped the buttresses of feudal authority in Europe, and most especially in France, in the course of the eighteenth century. The same reasoning which had been applied to the church, was now applied to the state. Large patrimonial inheritances, and hereditary prerogatives of every description, began to be regarded with an evil eye. Monarchical government, the privileges of aristocracy, and the vast estates of the nobility, were threatened with dismemberment or annihilation by the vigorous arm of equalizing democracy. This change in public opinion was the grand event, in the march of political philosophy, which chiefly characterizes the spirit of the eighteenth century.

As the ultimate consequences of the revolutions which took place in respect to religious doctrines and establishments were not foreseen, in the times of Luther and Calvin, or at the peace of Westphalia, so neither can we, of the present era, foresee the final results that are to follow, (for results must follow,) the mighty, and still repeating blows, that have been given to the feudal system. As we remarked at the commencement of this article, from what has been, we may speculate on what may be, and thus conclude that the mental movement will conti-

nue. Nor can we doubt of its being rapid in its course and wide in its sphere, precisely because the intercourses of men by steam engines and railroads, and improvements in printing, have provided the mechanical means of extended, easy, and ready approximation and inter-communication, on a scale and magnitude never even contemplated by the last generation. Intelligent and reflecting minds look forward to the impending crisis with hope mingled with fear. Revolutions, or at least changes, must come to pass, and that quickly. The true patriot hopes that they may be quietly ushered on to the political stage by the mild majesty of reason, her august presence unpolluted by the intrusion of the fiercer passions, and that, while they are unstained by crime, they may be marked by firmness.

In characterizing the eighteenth century, by marking the vicissitudes of religious, moral, and political opinion, it will be proper to notice the wonderful effects that have been wrought in the course of that period, by the progressive influence of the exchange of feudal services for money; or of a feudal and military system of contribution to the public service, for one commercial and financial. The exchange of military service in the field for money assessed for the maintenance of standing armies, has been naturally followed by an increase of armies that seem to defy all bounds, until the whole mass of contending nations shall be converted, as in preceding times, into soldiers and slaves, brave and honourable warriors, or *helotes*, *villani*, or bondmen under other names, whose business it is to cultivate the ground for the use of their lords and masters. Immoderate taxes have been the necessary concomitants of this new order of affairs,—immense public debts,—a kind of new aristocracy of monied capitalists, who lend pieces of paper to government on usurious terms,—and a collusion between governments and these new aristocrats, whereby the interests of the people at large are sacrificed to the ambition and pride of the one party, and the avarice and rapacity of the other. This collusion is a source of misery to the oppressed nations; and tends, in the end, to the embarrassment and even the ruin of the oppressors. It was the financial difficulty of France that formed the proximate cause, or link, in the chain of causes that produced the revolution. This exchange of baronial personal services in the field for money payments to raise and keep on foot mercenary armies, did not indeed originate in the eighteenth century, but its effects were never so fully and extensively displayed as at that period; and since no one period can be rightly described and characterized, without comparing it with other and preceding periods, it will not be foreign to our present design, if we take a short review of the state of Europe, in reference to the subject now in hand, from the grand era of the middle of the fifteenth century.

Constantinople being captured by Mahomet the Second, in 1543 many learned Greeks sought and found an asylum in Italy. The favourable reception they met with from the popes, princes, and chief men in the republics of that celebrated country, soon introduced among the higher classes of Italians the study of the Greek language and of the old Greek authors. About the same time also, though rather later, some learned men began to restore the purity of the Latin tongue; but that which most contributed to the advancement of all kinds of learning, and particularly the study of the ancients, was the art of printing, which, within a few years after the arrival of the Greeks from Constantinople, in Italy, was brought to a great degree of usefulness. By the aid of the press, books were multiplied and became common, which was impossible when they were all transcribed. The arts of Greece and Rome thus became generally understood, and as soon as they were understood, they were admired. Italy soon swarmed with architects, painters, and sculptors, and vast expenses were incurred in buildings, pictures, and statues. Thus the Italians were drawn off from their former way of life, which was military and frugal, and addicted themselves to the pursuit of refined and costly pleasures. A taste for these pleasures was extended by degrees to neighbouring nations, while, by the improvements in navigation already noticed, the luxury of Asia and America was added to that of the ancients. A great uniformity in costume, and in the mode of life, had hitherto prevailed; but now, to all other expenditure, was added that arising from a never ceasing change in the fashions, in clothes, equipage, and the furniture and decorations of houses.

The far greater share of all these expenses fell on the barons. Instead of vying with each other in the numbers and boldness of their retainers, they became emulous of each other in the splendour of their houses, the glitter of their equipage, and the elegant delicacies of their tables. This involved them in such heavy debts, that if they did not sell, or otherwise alienate their lands (which it was not, at first, in their power to do)* they were at least obliged to convert into money, for the payment of their creditors, the military services due to them from their vassals, which was done partly by way of rent, and partly by way of lease and fine. Thus the vassal, instead of being a military retainer, became a tenant. As the baron, or lord of the fief, accepted money from his vassals, instead of military service, so the king was under the necessity of accepting pecuniary contributions, instead of personal military services from the baron. The nobility and gentry assembled in diets and parliaments, for the purpose of devising ways and means to maintain

* In England, the nobility and gentry were not permitted to break the ancient entails, or to alienate their estates, until an act was made for the purpose in 1500, by Henry the Seventh.

mercenary troops, and voted sums of money to be levied on the people, grown rich by trade and dispirited by the cessation of military exercise. Such forces were at first raised only for present exigencies, and kept on foot no longer than the circumstances that occasioned them. But princes soon found pretences for making them perpetual, the principal of which was the policy of garrisoning frontier towns and fortresses. The officers and soldiers of these mercenary armies depending, for their subsistence and preferment, as much on the prince, as the former militias did upon the barons, the sword was now transferred from the hands of subjects into those of kings, and war was converted into a trade to which multitudes had recourse, as the means of living. Nay, many of the barons themselves, being reduced to poverty, by the expensive mode of living, took commands in those mercenary troops; and, being still continued hereditary members of diets and parliaments, and other assemblies of state, after the loss of their vassals, whom they formerly represented, they were now the readiest of all men to impose taxes on the people; and these funds were consumed by armies, fortresses, and garrisons, all of which multiplied with the increasing ambition of victorious princes, the jealousies of their neighbours, and the cost occasioned by the progressive complexity of the art of war.

The armies of the first part of the seventeenth century were more than doubled by those of the second; those of the second more than doubled by those of the first part of the eighteenth, and towards the close of the last century the relative proportions were still further increased. The utmost force that ever was on foot in the wars of Louis the Fourteenth, was three hundred and fifty thousand men. The French republic raised a force of eight hundred thousand, and the allies were compelled to make war on the same gigantic scale. This system was yet further extended in the wars of Napoleon at the close of the last, and the commencement of the present century, when soldiers were crowded together from the gulph of Genoa to the Texel.

When we reflect on the progressive intercourses of men with men, of nations with nations, and minds with minds, and meditate on the consequences which have resulted from the extension of navigation, commerce, art, and science, it seems to us the height of absurdity for any political philosopher to insist on the doctrine of the stationary system. If left to itself, the movement must continue; and who is he that presumes to check its course? The impelling principle is mind; who can destroy its faculties, or repress its spring? The instrument is printing; who dare legislate for destroying the liberty of the press? What then do prudence and wisdom dictate? Clearly to direct mind into useful channels, but not to declaim about *final* measures. The love of systems has been fatal to the progress of philosophical truth, and the

love of party has retarded the advance of political improvement; in either case, men have departed from the principles of nature, and vainly attempted to fetter the mind. Let any two or more periods of history be compared, since printing has been invented, and the most dull and obtuse intellect will be convinced that society is progressive; and since that truth is universally attested by the experience of the past, why should it not apply to the present and the future? Who can point out exceptions and limitations to the rule? How absurd, then, is it to hear persons talking of the horrors of organic change, as though this principle had not been constantly at work, from the foundation of the monarchy to the present time. We have seen the chief causes of change operating in the eighteenth; let us reconcile ourselves to them in the nineteenth century, and obliterate from our vocabularies the vulgar slang about revolutionary movements and destructive theories.

THE OTAHEITAN MOURNER.

PEGGY STEWART was the daughter of an Otaheitan chief, and married to one of the mutineers of the *Bounty*. On Stewart's being seized and carried away in the *Pandora* frigate, Peggy fell into a rapid decay, and in two months died of a broken heart, leaving an infant daughter.

FROM the isle of the distant ocean
 My white love came to me;
 I led the weary stranger
 Beneath the spreading tree.
 With white and yellow blossoms
 I strewed his pillow there,
 And watched his bosom's heaving,
 So gentle and so fair.

Before I knew his language,
 Or he could talk in mine,
 We vowed to love each other,
 And never to resign.
 O then 'twas lovely watching
 The sparkling of his eyes;
 And learn the white man's greeting,
 And answer all his sighs.

I taught my constant white love
 To play upon the wave,
 To turn the storm to pleasure,
 And the curling surge to brave.
 How pleasant was our sporting,
 Like dolphins on the tide,
 To dive beneath the billow,
 Or the rolling surf to ride.

To summer groves I led him,
 Where fruit hangs in the sun,
 We lingered by the fountains,
 That murmur as they run.
 By the verdant islands sailing,
 Where the crested sea birds go,
 We heard the dash of the distant spray,
 And saw through the deeps the sunbeams play,
 In the coral bowers below.

And when my lover, weary,
To our woodland couch would creep,
I sang the song that pleased him,
And crown'd his lids with sleep.
My kindred much would wonder,
The white man's love to see ;
And Otaheitan maidens
Would often envy me.

Yet when my white love's forehead
Would sadden with despair,
I knew not why the cold drops
Should start and quiver there.
I knew not why in slumber
His heart should tremble so,
Or locked in love's embraces,
How doubt and fear could grow.

'Till o'er the bounding billow
The angry chieftains came ;
They seized my wretched lover,
They mocked my anguished claim.
In iron bands they bound him,—
I flew his fate to share ;
They tore him from my clasp,
And drove me to despair.

Are white men unrelenting,
So far to cross the sea ;
Their chieftain's wrongs revenging,
To tear my love from me ?
Are Otaheitan bosoms
No refuge for the brave,—
Can exile nor repentance
A wretched lover save ?

No more the Heiva's dancing
My mournful steps will suit ;
As when to torch-light glancing,
And beating to the flute.
No more my braided tresses
With smiling flowers shall bloom ;
Nor blossom rich in beauty
Shall lend its sweet perfume.

All by the sounding ocean
I sit me down and mourn,
In hope his chiefs may pardon him,
And speed my love's return.
Can he forget his Peggy,
Who soothed his cares to rest ?
Can he forget the baby,
Who smiles upon her breast ?

I wish the fearful warning
Would bind my woes in sleep !
And I a little bird to chase
My lover o'er the deep !
Or if my wounded spirit
In the death canoe would rove,
I'd bribe the wind and pitying wave,
To speed me to my love.

FIELD MARSHAL SUWARROW, OF RUSSIA.

THIS celebrated soldier was born in 1730, at Moscow, of a Swedish family, whose circumstances were but indifferent. He entered the service, in 1742, as a private, and languished many years a subaltern. It was during this time that, feeling the superiority of his own resources and the insufficiency of those of his commanders, whose faults were detected by his penetrating sagacity, he resolved to free himself from a state of obedience, and assumed for this purpose that singularity of conduct which afterwards was strengthened, as it were, into a second nature, and gave a stamp of eccentricity to his whole character. His plan, however, succeeded. In a short time he was remarked, and the shoots of his genius pierced through the obscurity of the subordinate station in which they had vegetated during the first years of his career. From 1749, his advancement was rapid, and ten years afterwards, at the age of twenty-nine, he became a lieutenant-colonel. In the mean while the higher he advanced in rank, the more odd and singular did he affect to become. This mode of acting at last made such an impression, that all obedience from him was impossible, and he would have refused to command the armies of his sovereign, had she attempted to mark out the plan of a campaign, or restrict him in the free choice of his operations. "When my sovereign does me the honour," he used to say, "to give me the command of her armies, she supposes me capable of guiding them to victory; and how can she pretend to know better than an old soldier like myself, who am on the spot, the road which leads to it? So whenever her orders are in contradiction to her true interests, I take it for granted, they are suggested by the ignorance or the enmity of the courtiers, and I act in conformity to what appears to me most serviceable to her glory." On many occasions the genius of Suwarrow broke through the limits of his instructions, and guided him with sure and stedfast step to conquest.

During the campaign of 1771, which he made as major-general, he heard that the grand marshal of Lithuania was assembling the Poles at Halowitz. He immediately sent information to Marshal Boutourlin, the Russian commander in chief, a man of remarkable coolness and circumspection, and demanded leave to attack them. He, knowing that Suwarrow had with him only a few hundred men, formally forbade the attempt. But, Suwarrow hearing at the moment that the Poles had just beaten the regiment of Petersburg, and that their numbers amounted to five thousand men, and were daily increasing, resolved to crush them in the bud. Forthwith he assembled his little army of one thousand men, and advanced against the enemy. The impending danger doubled his exertions. He marched fifty leagues in four days; surprised the Poles at midnight; beat and dispersed them; and captured the town of Halowitz and twelve pieces of cannon. In the morning he pursued his victory, and destroyed what had escaped the first onset. He then sent Marshal Boutourlin an account of this daring enterprise, and subjoined these words: "As a soldier, I have disobeyed, and have sent you my sword; but, as a Russian, I have done my duty in destroying the confederate forces, which we could not have resisted, had they had time to unite." Boutourlin astonished, and at a loss what conduct to observe towards Suwarrow, sent to the empress

for orders. Catharine instantly wrote the following note to the victorious commander: "Your commander, Marshal Boutourlin, ought to put you under an arrest, as a punishment for military insubordination; but, as your sovereign, I reserve to myself the pleasure of rewarding a zealous and faithful subject, who, by a brilliant action, has well served his country." With this letter, she sent him the order of St. Alexander.

In 1790, the empress had given an express order for the capture of Ismailoff, of which the siege had already been twice raised. Potemkin, who commanded the Russian army, fearing to disobey Catharine the third time, communicated her orders to Suwarrow, proposing that he should recommence the siege, and charging him with the command of it. However dangerous the enterprise, which had already failed twice, Suwarrow, ever confident in his own resources, undertook it, saying, "The empress wills it, we must obey." Having assembled his troops, four days of forced marching brought him to Ismailoff. Some days were spent in the preparation of fascines, scaling ladders, and other necessities for an assault. In the mean time he constructed a fort in a retired spot, where the soldiers were practised in mounting the walls; and at the same time, the better to deceive the enemy, he opened a trench at a considerable distance from the ramparts, as if he intended to besiege the place in form. Every thing was carefully disposed for the assault; the orders were given; the columns were on their march at midnight;—at this juncture an officer arrived with dispatches from Prince Potemkin. Suwarrow guessed that they either contained an order to retreat, or some secret snare. In fact, Potemkin trembled at the uncertainty of such an enterprise, undertaken in the midst of a severe winter, against a fortification furnished with two hundred and thirty pieces of cannon, and defended by forty-three thousand men; nor did it lessen his apprehensions, when he considered that half of the garrison was composed of janissaries; while Suwarrow, to oppose these difficulties, had only twenty-eight thousand men, the half of whom were cossacks. In order, therefore, to cast all the blame and disgrace of a check upon him, he ordered him not to risk an assault, unless he was sure of taking the place. Suwarrow, mistrusting the contents of this letter, commanded his aide-de-camp to have a horse held at the door of his tent, so as to mask the entrance, telling him at the same time to make the courier wait till he should go and receive the message. Presently he went out, and pretending not to see the officer with the dispatches, he sprang on his horse, and joined his troops at full gallop.

The Russians gallantly scaled the walls. The Turks made a vigorous resistance, but the works were carried; the combat was desparately maintained in the town, but a few hours of carnage and slaughter secured victory to the Russians. The victorious Suwarrow, while receiving the congratulations of his officers, perceived the messenger of Potemkin. "Who are you, brother?" said he to him. "It is I," said the officer, "who brought the dispatches from Prince Potemkin, yesterday evening." "What!" exclaimed Suwarrow, pretending to be in a great passion, "you bring me news from my sovereign—you are here since yesterday, and have never given them to me!" Then threatening the officer with severe chastisement, he gave the letter to

one of his generals to read aloud. After the contents were made known Suwarrow turned to his officers with a smile, saying, "Thank God, Ismailoff is taken, or I should have been undone." He immediately sent the following answer to Potemkin, which deserves to be recorded for its brevity: "The Russian flag flies on the walls of Ismailoff. Suwarrow."

The exterior of Marshal Suwarrow corresponded with the eccentricity of his character. He was a little man, of about five feet one inch in height; his mouth was large, and his features were far from prepossessing; but his look was full of fire, lively, and particularly penetrating. His brow was wrinkled deeply, and age and the fatigues of war had left him but a few straggling grey locks at sixty-four. Though his form appeared delicate and feeble, he was gifted with a strong and hardy constitution, fortified by sobriety, toil, and activity. Scarcely ever ailing, he supported fatigue, perhaps better than a man of more robust frame. The character of Suwarrow was animated and impetuous. When greatly moved, his look became severe, imposing and even terrible. He followed the feelings of his heart; but these movements were rare, and only called into action by weighty and stirring motives. In one point this old warrior showed excessive weakness. It was on the subject of his age. He could not endure to be reminded of it either by himself or by others; and for this reason every looking-glass in his house was either covered or removed. Nothing was more comic than to see him walking by a looking-glass; as soon as ever he perceived it, he began to run, shut his eyes, and make all sorts of grimaces till he got out of the room. We should be wrong, however, to attribute this eccentricity to any idle pretensions to juvenile appearance. The marshal would often crack jokes on himself; and as to his aversion to looking-glasses, he used frequently to say that he disliked observing the ravages of time, because they reminded him that he must soon be unfit for military enterprises. If a chair happened to be in his way, he would jump over it, to shew that he still retained his agility. For the same reason, it was a rarity to see him walk; he always ran, particularly on going into, or coming out of, his room. The largest circle never embarrassed him; he even redoubled his drolleries in the presence of strangers of rank, to show them that he could support all the fatigues of war, and still preserve the vivacity of youth.

Suwarrow was in the habit of rising all the year round at four o'clock in the morning, and sometimes at midnight. As soon as he was up, he went out of his tent, naked, to be drenched with pails of cold water. Neither his advanced age, nor the rigour of the season, could ever induce him to relax this extraordinary custom. He commonly dined at eight o'clock in the morning in winter, and at seven in the summer. Dinner was his chief meal; it was the hour of his recreation, which was sometimes prolonged even beyond his own wishes. He never sat down to, nor rose from, table, without saying grace, and imploring a blessing on his food. Sometimes he added a short benediction on his guests, and if they did not answer, Amen, "Those," said he, smiling, "who have not said amen, shall have no *eau de vie*." Though fond of wines and liquors, he was never seen intoxicated. He ate and drank a good deal, because he had naturally a great appetite, and dinner was his only meal. During the rest of the day, he took nothing but a few cups of tea or coffee. He followed the Russian custom of sleeping an

hour or two after dinner. His cookery was the reverse of delicate, consisting generally of ill dressed cossack ragouts, which nobody dared to find fault with. Each dish was sent round, and contained as many meeses as there were guests.

As Suwarrow was different from every one else, in manners and conduct, so also was he in the article of dress. Whole boots, slouched, and falling about his heels, breeches of white dimity, a waistcoat of the same kind, with lining and collar of green cloth, a little helmet of felt, ornamented with green fringe; this was his military dress throughout the year; nor did it take from the oddity of his appearance, that he frequently booted but one leg, leaving his garter and stocking loose on the other, which had been disabled by an old wound. His large sabre trailed along the ground, while his thin dress scarcely seemed to hang to his meagre and sickly body. When the cold was excessive, he wore a vestment of white cloth, like the dimity one, which he then left off; but this happened rarely. It was in this singular equipment that Suwarrow commanded, reviewed, harangued, and encamped his soldiers, on the frozen plains of Russia. His numerous victories had been rewarded with many diamond ornaments. On great occasions, he was covered with them, and then only he appeared in his superb dress of field marshal; at other times, he wore only the chain of the order of St. Andrew. Let not any one suppose that the extreme simplicity of Suwarrow's exterior rose from avarice; on the contrary, his contempt of money was even stoical; whenever he spoke of it, which was but seldom, one would have imagined that he had entirely forgotten its worth. He carried none about his person, knew not the price of a single article, and never paid for any thing himself. An old soldier, named Tichinka, who had saved his life, and whom he had made his aide-de-camp, was at once his major-domo, his supervisor, his maître d'hôtel, and had the sole charge of all his expenses. He carried neither watch nor jewels with him, except on those occasions of ceremony, when he displayed the rewards of his victories, and the munificence of his sovereign. But it was only when he considered them as records of his glory, that the finest diamonds obtained any value in his eyes, and then he would show them to any stranger, and pointing out his ornaments, one by one, "At such an action," he would say, "I gained this order; at such an one, that," &c; a pardonable vanity, when we consider that this was the sole pleasure he derived from the sight of all his jewels. Many anecdotes are recorded of his disinterestedness, which do equal honour to his moral principles and his loyalty.

An officer of his staff lost sixty thousand roubles at play, belonging to the military chest. Suwarrow sent for the officer, punished him, and wrote to the empress thus: "An officer has spent sixty thousand roubles belonging to the army; but when your Majesty receives this letter, I shall have made it good, at my own expense. It is right that I should be answerable for the officers I employ."

Suwarrow was always fond of keeping up the manners of a soldier. When he saluted any one, he stopped, turned out his toes, squared his position, drew back his shoulders, and put his right hand to his little helmet, like a soldier saluting his officer. When he wished to show great respect, he bent very low, but most ungracefully, and without changing the posture of his arms and feet. His simplicity was not

confined to dress, but extended to his diet, his lodging, and his whole manner of life. He always preferred the plainest apartment, so that no article of luxury ever entered his doors; he seldom slept in a house when his army was encamped. His tent was pitched at the head quarters in the corner of a garden; he remained there during the night and a great part of the day, and never entered the house allotted to his staff except at dinner time. Throughout his military career, he never once passed a whole night in bed; a few bundles of hay formed his only, and to him luxurious, couch, whether in the camp, or the palace of his mistress. He had no equipage, no horses, no attendants. He kept one servant about his person, and took as many soldiers or cossacks as he wanted, for the service of his house. His chariot, a plain kibitk, was drawn by post or hired horses. For his reviews, and in battle, he mounted the first horse at hand, sometimes a cossack's, but generally his aide-de-camp Tichinka lent him a horse; altogether, a more modest equipage cannot be imagined. The most conspicuous of the qualities of marshal Suwarrow was a sterling and invariable goodness of heart; he never met children without embracing and blessing them. He was ever a kind relation, a sincere friend, a good father; but he esteemed it the duty of a warrior to bestow that time only on social feelings, which could not be dedicated to the pursuit of glory. These principles were the invariable rule of his conduct, of which the following is a striking proof.

He was on his way to the army, and uncertain how long he might be detained there, when he was seized with a desire to embrace his children. At once to satisfy his duty and his affection, he turned out of his way, and rested neither day nor night till he arrived at his house at Moscow. All his people were in bed. Alighting quickly from his chariot, he knocked gently for admittance, and on entering stole softly to his children's bed room. With a candle in his hand, he quietly drew their curtains, and after contemplating with emotion the objects of his tenderness, blessed and embraced them; then he mounted his carriage, and drove off, without having awakened them from sleep. He had seen, embraced, and blest all he held most dear; to have aroused them would have been to hazard a painful adieu, and to have made them sharers in his feelings. In this way the eccentricity of his character held sway over the tenderest emotions of his heart; he seemed to steal from glory what affection prompted him to yield to nature.

Suwarrow was remarkable for an unalterable freedom of sentiment, which created in him an utter dislike to those equivocal phrases, which are the usual resource of flattery, fear, or meanness; whenever an officer answered him in that manner, he was for ever lost in his opinion. He called such people *neimaion*, a Russian word which answers to our "don't know," "possibly," "may be." He not only considered such sort of equivocation a species of cowardice, but used to think it betrayed a want of characteristic energy—in his eyes a capital defect. When he wished to discover if any one possessed firmness of mind, he would divert himself by asking all kinds of ridiculous questions. He thought little of those who were abashed or daunted on these occasions, but sharp and lively repartees won his esteem. "He," the marshal was wont to observe, "who is disconcerted by a simple question, will be much more so by a sudden attack of the enemy." In Suwarrow,

the qualities of activity and penetration seemed catching. He electrified all who came near him. The words "I don't know," "I cannot," "Impossible," were erased from his dictionary, and supplied by "Learn," "Set about it," "Try."

We may easily suppose, that Suwarrow was a great enemy to courtiers. Under the appellation of *neisnaion*, they were the objects of his bitterest satire. Neither the presence of his sovereign, nor of the parties concerned, could restrain him from giving free vent to his sentiments. No wonder, therefore, that he had many enemies at court. In fact he was hated there, and, in the midst of the camp, intrigue and faction sought him for their prey. Suwarrow was always a strict disciplinarian; the least neglect of subordination was severely punished; and, with all the originality of his character, he would be as well the model, as the enforcer of military obedience.

He desired Tichinka to order him from table, whenever he was exceeding his usual appetite. He would then turn round with an air of smiling gravity, and ask "At whose order?" Tichinka always answered: "At the order of marshal Suwarrow." "Oh!" rejoined his master, "he must be obeyed," and then immediately rose from table. The same curious form was gone through, when his business kept him too long sedentary. Tichinka, on such occasions, bade him go out; he asked the same question; his aide-de-camp gave him the same answer, and he would go and walk. This old warrior was very religious; his first business on getting up was to say his prayers. He repeated a very long one before going to bed, and, like all the Russians, had great faith in St. Nicholas. He diligently attended divine worship, chaunting the service with the priests, and accompanying the chant with all possible grimaces. During his exile at Novogorod, at the age of seventy, a pious whim induced him to exercise his indomitable activity on the bells of the parish, of which he was made churchwarden. Every night and morning he tolled for service, and afterwards sung in company with the priest and peasantry of the place. Priests had ever a peculiar claim to his respect; he would often stop a priest for his benediction, and never missed a bishop. The blessing he had thus obtained, he generally transmitted again to his officers. Notwithstanding his respect for the clergy, he could well distinguish the priest from the man. One day on entering a village, he saw the curate, and hastily dismounted to beg his blessing; presently afterwards, on hearing some complaints against him, he ordered the same curate to receive fifty blows from a stout cudgel.

Suwarrow had a great fund of historical knowledge, ancient as well as modern, and knew by heart the lives of the most illustrious commanders who had gone before him. He spoke eight languages, and in French he conversed with the correctness of a native. His style and speech bore the stamp of his character; brief, energetic, lively, and to strangers almost enigmatical. But he had an aversion from writing, and avoided such transactions as required the assistance of the pen, "a weapon," said he, "which sits ill in the hand of a soldier." For this reason, very few letters of his own composition are extant. The following is what he wrote to field marshal Romanzoff, to announce the capture of Tourtoukaya:

Slawo Bogou, Slawo bowam
Tourtoukaya awala, ia tam.

Or in English :

Glory to God, glory to you,
Tourtoutkaya is taken, here am I.

His compositions had all the same characteristic energy and brevity. But he commonly gave the substance of his dispatches to one of his officers, and signed them after they were written. He was wont often to harangue his soldiers ; and on such occasions he was unusually verbose. His military harangues lasted an hour, and sometimes two, in the depth of winter. One day in the month of January, he took it into his head to harangue a body of ten thousand men drawn up on the parade at Warsaw. It was bitterly cold, and a freezing hoar frost came down from the sky. The marshal, in a waist-coat of white dimity, began his oration. He soon found that the coldness of the weather made it seem long ; accordingly he stretched it to two hours. Almost all the generals, officers, and soldiers, caught severe colds. The marshal was none the worse, and even gayer than usual. His quarters rang with unceasing fits of coughing ; and he seemed to enjoy it. He had the satisfaction to think that he had taught his army to disregard fatigue, winter, and all its frosts.

The name of Suwarrow will remain for ever identified with the military glory of Russia. His virtues were numerous and eminent ; his faults belong rather to the barbarism of his country, than to the man. He died at Petersburg in 1799, at sixty-nine years of age.

REASON.—AN ALLEGORICAL DRAMA.

WHEN Terence exhibited his immortal comedies to the delighted audiences of Rome, the actor, who first appeared on the stage, briefly explained the subject of the play, so that the spectators might be prepared for the events about to be represented. Among the moderns, this practice is not adopted, for the introductory prologue, delivered in our theatres, is of a totally different character. As the allegorical drama, now submitted to the criticism of our readers, is somewhat novel in design and in execution, we choose to follow the example of Terence, and write a few prefatory remarks on the *Dramatis Personæ*, before we commence the dialogue.

The *Dramatis Personæ* are only four in number : Sir Isaac Newton, a Merman, an Albino, and an Oyster. Every one knows at least something of the first of these characters. We use the privilege of fiction, and suppose the great philosopher seated on a rock at the mouth of the river Senegal, examining the phenomena of the tides. The Merman, or man of the sea, according to the philosophy of Telliamedes and Maillet, only differs from us in external appearance, by the ferocity of his countenance, a membrane which links his fingers and makes them webbed,—and a scaly covering from the girdle downwards ; he is the Triton of the ancient fabulists, reproduced by one of the fanciful hypotheses of natural philosophy,—a creature of imagination, in whose corporeal reality credulous sailors still believe. The white negro is a man of diminutive stature, with a leprous coloured skin, and red eyes ; these singular beings have been found in America and Asia, but they are most numerous in Senegal. They are called Albinos, despised by the true negro, who, in turn, is despised by the white man.

If we are asked, how an Oyster, a Merman, an Albino, and Sir Isaac Newton, could converse together, we pray the enquirer to be satisfied with the following answer.

All beasts have sensation, and express their wants by signs, or inarticulate sounds, which sounds and signs mutually aid each other; if we possessed a dictionary of their language, we should perfectly understand their mental mechanism. The merman, who passes his life among fish, must have studied their modes of communicating their thoughts; we may, therefore, fairly assume that he could converse with an oyster. From what philosophers have written on the subject, there is but a slight difference between the hoarse and stifled vocal sounds of an albino and the clucking articulation of a merman; who, indeed, can prove that the language of the white negro is not a dialect of the language of the Triton? As to Newton, surely we are not drawing too largely on the *licentia poetica*, if we endow him with the gift of tongues.

It is said of this great philosopher, that he abstained from animal food; he thought that a being who reasons, ought not to eat a being who feels: this trait in his character is preserved in the following drama. The reader is requested to pay attention to the signification of the words employed; he may easily suppose, that the language of fishes is not very copious; therefore, when an animal says "I think," he does not use the words in the same sense as Locke; for we must bear in mind that there is an immense interval between the intellectual faculties of an oyster and the most brutalized of the human race.

SCENE THE FIRST.

Newton. (seated on a rock near the sea.)—The contemplation of this vast ocean gives fresh activity to my reason; how eloquent is the silence which reigns through the immensity of space! how pure is the azure firmament! the flowing tides, which, at a distance, seem hurrying forward to drown this continent, one after one break against this rock, and spend their force at my feet! How awfully sublime is nature! it alone resists the decaying force of time, while man dies, and his works pass away!

For many years I have reasoned with men, and I have always felt my understanding feeble and fettered; but my soul seems to expand, when I reason with nature. Ah! if this boundless sea had a language which Newton could understand; if the dumb nations which inhabit it. . . . But, I hear a noise; let me guard against danger. . . . (he cocks a pistol). . . . since I have been in Africa, I owe to this weapon that personal safety which I derived from the law in England.—The sound increases; the waters are strangely agitated; the mouth of the Senegal is a favourite haunt of the shark; I will retire; I ought not to die yet, as I may still render some more service to mankind.

SCENE THE SECOND.—*The Oyster and the Merman.*

The Merman.—Here is a shell-fish whose intelligence astonishes me; if I retire, he raises his upper shell; if I approach, he closes it, to save his life. I almost believe that he reasons.

The Oyster.—A great marvel, truly, that an organized being should reason! all the inhabitants of this vast prison, called the ocean, think as you do; there is not an individual of any distinct class who does not assume, that his species alone can reason; you, Merman, deny my power of combining two or three sensations; but the shark refuses to you the same privilege, and the whale withholds it from the shark.

The Merman.—This oyster piques my curiosity; I never suspected that a shapeless mass of marine blubber, imprisoned within a convex and a concave wall, and fastened for ever to the rock on which it was born, possessed ideas; by what inexplicable prodigy, does a molecula, scarcely organized, dispute the palm of intelligence with me, who am the king of the seas?

The Oyster.—Whether you are king of the crabs who suck your blood, or of the sharks who swallow you, matters not to me; but most certainly you are not king of the oysters; all beings of my species live in republics on their native rocks; they open and shut their shells, as they please; they do not court the favour of fishes larger than themselves, nor do they deal in sophisms which establish the doctrine of slavery. It is true that you feed on our substance; but you share that crime in common with the cockles and the muscles, and, assuredly, we are not *their* subjects; be satisfied then with eating us, but do not insult us by saying that you govern us.

The Merman.—I certainly intend to eat you, but I shall be none the less your king on that account. However, I have within me principles of equity and justice; let us at first reason on the subject.

The Oyster.—If you finish our conversation with swallowing me, rest assured that you are a bad logician.

The Merman.—We shall see. I am incontestibly the master piece of nature, for I love and think.

The Oyster.—And where is the sensitive creature who does not love, and think, according to its organization? You say, that you love; I doubt not the fact; but where will you find in the ocean a single fish who does not love? this passion must be universal, otherwise the non-loving races would be extinct with the first generation, and nature would have failed in intelligence, aye, in common sense. You say, moreover, that you think; but that privilege is not a monopoly enjoyed by machines more perfectly organized than I am; it is true that I cannot walk as you do, nor swim like the cod-fish, nor fly through the air as the sea-swallow; nevertheless, I have my share of intelligence; when my enemy approaches, I order my fibres to contract, and my shells to unite. The crab, whose skill enables him to throw a stone between my two shells, and thus keep my small dwelling open, so that he may devour me at his ease, reasons more profoundly than I do; and the fish who knows how to render the claws of the crab useless, reasons better than the crab. You do not see my organs, and therefore you conclude that I am unable to reason: think you then that the Being who created me, is as shortsighted as yourself? You do not reason sufficiently well yourself to be entitled to call in question my power of reasoning.

The Merman.—This is astonishing philosophy for an oyster—no doubt some Merman superintended your education?

The Oyster.—By no means; my instructor is nature. I am an aged oyster. I have seen more than two thousand risings and settings of the sun from this rock; I have profited much from conversation with codfish, who eat our species, and with sharks who, from contempt, not from generosity, spare our lives; still more, have I conversed with myself; and I have learned enough to know, that I really know nothing.

The Merman.—I am tempted to wish that no being of my species reasoned worse than an oyster. But explain to me, thou philosophizing blubber, since you have an understanding, why have you not extended

the sphere of your knowledge ? Can you tell me the specific weight of water ? How tempests are engendered which disturb the surface of the sea ? What is the cause of the tides ? Know you these things ?

The Oyster.—I know that I have wants, and that I must satisfy them ; that is all that concerns me ; what signifies it to my happiness, whether the ocean is convulsed by storms or tranquillized by calms, or whether the waters rise or fall ? My house defies the element in which I live. The most furious wave breaks itself against my shell, and I fear nothing in nature but cockles, muscles, crabs, and men.

The Merman.—You admit then that my presence fills you with fear ; that is proof that I have a right to govern you ; *the right of the strongest is the right of nature*, as was well observed by one of our swimming orators, in an elaborate essay which was rewarded with a gold medal, presented by the Royal Academy of Sharks.

The Oyster.—Leave fine phrases and rounded periods to the academies ; but do you give me a definition of the *right of the strongest*.

The Merman.—It is. . . . It is. . . . It is what I do, when I swallow you. (Here he attempts to detach the oyster from the rock.)

The Oyster.—Hold, barbarian ! You outrage the laws of nature.

The Merman.—I satisfy the natural cravings of appetite.

The Oyster.—What mean you by the *natural* cravings of appetite ? Do you not belong to the class of frugivorous animals ? Feed yourself with algae, with sea-weed, with corallines, with zoophytes ; and leave me on my rock.

The Merman.—No. I desire to ascertain if an animal, who reasons, is more pleasing to the palate, than a plant which only vegetates. (Here he makes new efforts, and at last drags off the oyster.)

The Oyster.—Intellectual monster ! You make a jest of your cruelty ! True, I am now in your grasp, but tremble ; I shall soon be avenged. Behold that singular being who gazes on you—who now meshes you in his nets—devour me, and be devoured in your turn.

SCENE THE THIRD.—*The Oyster, the Merman, and the Albino.*

(On the rising of the curtain, a Merman holding an Oyster in his hand is seen struggling in the fishing net of a white negro.)

The Albino.—Upon my word, this is the most extraordinary fish that ever was caught in the African seas. Were it not for the scales which cover the lower part of the body, I should have taken him for a man. A fine supper he will make for my family !

The Merman.—Gentle Albino, spare me ; I am a rational being.

The Albino.—You, a rational being ! Have I not fished you out of the same element, as I do crabs and codfish ! Let me, however, examine you more closely. No, no, there is no mistake ; my head is covered with curly wool, and you have green hair ; my eyes are red, and yours are black ; your skin is brown, and mine is white as milk ; you have six feet, while I have but four. It is clear, therefore, that you cannot be a rational being.

The Merman.—Notwithstanding these outward appearances, I assure you that I am, and so also is this oyster which I hold in my hand. Listen to us, while we reason, to convince you of the truth of what I say.

The Albino.—I grant your request. Commence by telling me in what reason consists.

The Merman.—Reason. . . . Intelligent oyster, reply ?

The Oyster.—No, Merman, the question is addressed to you.

The Merman.—Reason. . . . Can I not be rational, without defining reason?—Every circumstance attests my intelligence; I breathe on the surface of the water, and in its profoundest depths; I excel three-fourths of fish in strength, and the whole in industry; I reign, and my empire is only limited by these steep cliffs, against which the waves of the ocean break themselves.

The Albino.—You may be the king of the fishes; but I, as king of the albinos, have a clear right to roast you; I am entitled, by virtue of my prerogative, to treat you, as certain cannibals, called negros, treat the albinos, and as other cannibals, called white men, treat the negros.

The Oyster. (*aside.*)—Between the jaws of the one, and the frying pan of the other, my escape from death is hopeless.

The Albino.—It is reason itself that commands me to eat you. Listen to the following train of argument, which I borrow from a lecture recently delivered by my Regius Professor of Logic. Either you are irrational, or rational; if you are the former, and consequently a mere animal, I have a right to feed on you at my supper; for since beasts eat men, when they have the opportunity, by parity of reasoning, men may eat beasts. If you are rational and possess the faculty of thinking, I absolutely render you a service by devouring you; for it is more glorious that the king of the sea should be eaten by the king of the albinos, than continue to live the prey of sharks, and after death, be eaten by worms; therefore, whatever may be your nature, whether irrational or rational, I act rightly in cooking you for my supper; in the former case, I do an act of justice; in the latter, I perform an act of generosity.

The Merman.—I can no longer understand in what reason consists, since on the one hand an oyster pretends to share it with me, and on the other hand, a man acting on its authority, claims the right of eating another man. (The Albino is now seen collecting the branches of trees, and striking two flint stones against each other, to kindle a fire from the sparks.) But what means this horrible ceremony? What does it forebode to the victim.

The Albino.—Your death.

The Merman.—I know of no other fire than that which follows the explosion of thunder; but if that which I see kindling is of the same nature, what dreadful sufferings will accompany my death?

The Albino, (coldly).—Friend, I must eat to live.

(Newton is now seen walking on the margin of the sea, with a book in his hand; the cries of the merman attract his notice,—he puts his book in his pocket, cocks his pistol, and approaches the scene of action.)

SCENE THE FOURTH.—*Newton, the Albino, the Merman, and the Oyster.*

The Albino.—What do I see? A white man! then am I lost.

The Merman.—Whosoever or whatsoever thou art, hasten to succour an unfortunate wretch, and save me from this albino.

The Oyster.—And me from the merman.

(The Albino bends his bow, Newton fires his pistol in the air, and the savage drops at his feet overcome with terror.)

The Albino.—I doubt, if I still breathe. . . . O thou, who canst launch the thunderbolt, if thou art a God, I admit that you have right to eat me.

Newton.—I am not a God, neither do I ever eat any person.

The Albino.—Who art thou, then, wonderful being, who compellest the king of the albinos to fall prostrate at your feet?

Newton.—I am a rational being.

The Albino, the Merman, and the Oyster.—If he reasons, we are all undone.

Newton.—Take courage, I come to save you all. Man with the red eyes, set free the Triton ; and do you, Merman, replace the oyster on his rock.

The Albino.—I have sufficient courage to fight against the whole world, in defence of my prey ; but I yield to the king of nature.

Newton.—I am not so proud as to aspire to titles which exclusively belong to the Supreme Being ; nor have I the weakness to adopt them, when proffered to me by ignorance ; I the king of nature, forsooth ! I, who am nearly frozen in winter, and scorched in summer, and whose existence may be rendered miserable by the sting of an insect. So horrible a blasphemy ought not to escape the lips even of a court flatterer. And as to you, savage, your wants are too few, to have recourse to flattery for their gratification.

The Albino.—I beg pardon of my master ; I have many wants : for instance, at this very moment, I want to eat the merman.

The Merman.—And I, to swallow the oyster.

Newton.—Nature, I admit, prompts both of you to satisfy your hunger, but not to eat animals which she has endowed with so much intelligence ; as soon as a being can feel, he has a right to live ; and to destroy him, is to offend the first cause.

The Oyster.—I admire you vastly, but I do not understand you.

Newton.—It is quite natural. The one is the consequence of the other. As instruction advances, admiration diminishes. I admire gravitation much less, since I calculated its laws, and I believe that the supreme intelligence never admired anything, because he is omniscient.

The Oyster.—You seem to me to be a profound philosopher ; I should like to reason with you.

Newton.—What ! Newton reason with an oyster ! but why should I deny to the oyster some modification of understanding ? Who can tell in the chain of created beings, the point at which intelligence ceases, and the point at which intelligence begins ?

The Oyster.—This aquatic man denies that I have any reason : the albino, who was going to roast him, denies that fishes in the human form, and also shell fish, have any reason ; as to you, I think you have a good right to deny that faculty to us all. Tell us, then, what is reason ? Is it shared by us all, or is it a non-entity.

Newton.—On such a question, it is easier to indulge in bold affirmations when we are ignorant, than to entertain doubts when we are instructed. These are some of the rays of light, which have penetrated through the triple cloud which envelops the essence of reason. Every being must have some ideas, when it has organs and wants ; if a being is limited to one sense, his powers of thinking will be restricted to two or three combinations ; but if he could have an infinite number of senses, he would only yield to his Creator in intelligence. All animals have a sort of soul, from the whale which reigns in the ocean by virtue of his colossal proportions, down to the most minute of the millions of animalcules contained in the ovaries of a cod-fish. As to the understanding of man, which can embrace several systems of beings under one general idea, decompose the elements of matter, and elevate his thoughts to the contemplation of the attributes of the Divine Being ; he is, on this earth, at the head of the scale of intelligences. Would you now wish to know

if you belong to any of the varied classes of man ? answer a question that I shall propose to you, and which no one can understand, whose *natural* intelligence is not of the same order as mine ; is there a God ? Oyster, speak thou the first.

The Oyster.—The name of God is unknown in the language of oysters.

Newton.—Speak now, Merman,

The Merman.—I know nothing in nature but man and fish.

Newton.—It is your turn, savage.

The Albino.—Yes, without doubt there is a God, and I often hear him buzzing about my ears in the shape of a bug-fly.

Newton.—Your respective answers suffice. The problem is solved. Neither an Oyster, nor a Triton, can possess the *same* soul as a man ; but an Albino may acquire it.

Every thing is connected in nature by an invisible chain ; the oyster seems to be the link which unites the animal and vegetable kingdoms ; the merman, who is the head of the fishes, is connected by outward figure with the albino, but separated from him by intelligence ; in reference to this savage, there is the same interval between him and a civilized man, as there is between the germ and the development of a flower. —Oyster, Merman, boast less of that quality of reason of which you are so proud ; your soul cannot fall back upon itself, rise to the conception of God, or contemplate the sublime image of virtue. Infinite is the distance between your reason and the reason of man. Fishes, remain in the narrow sphere in which nature has placed you.

As to you, Albino, who seest but a bug-fly in that Eternal Being who causes millions of millions of worlds to gravitate through immensity of space, learn to renounce your errors. I have derived instruction from conversing with the oyster and the merman ; you may derive instruction from conversing with me. I will give you my intelligence, which alone can raise you from your present brutalized condition ; when you know what I know, you will begin to suspect the weakness of man, and humbly reverence the Great Author of Nature.

ON THE PHILOSOPHY OF MIND.—No. 2.

(Continued from page 153.)

In last paper we stated certain analogies which existed between matter and mind, with a view to remove the prejudice that very generally exists in favour of physical investigation. The last ground of analogy which we shall mention is, that the subjects of both are generally of a compound nature. When we speak of the elements of any thing, we can only mean that its constituent parts have not been detected by the strictest scrutiny ; we cannot infer, however, that it may not at some period be analyzed. The catalogue of simple substances has been considerably lessened within these few years. At first sight, no one would suppose that a ray of light, refined almost to the subtlety of thought, was any thing else than a simple substance ; yet this ray may be split into seven different parts. If we take a blade of grass or a shrub, we shall find its constituent parts to be water and earth. What a number of ideas too are connected with the mention of water. We might go on to any length in enumerating objects

of matter that are complex—not less complex are the objects of the mental world ; almost all our powers, whether moral or intellectual, are resolvable to their elements. Our different affections, desires and passions—our motives to action—our sentiments and feelings, are the result of a great variety of considerations. Many of our intellectual faculties also, although considered uncompounded by many philosophers, may on investigation be found to be the reverse. An act of imagination is by one philosopher considered simple ; while by another it is resolved to perception and memory. It would be no difficult matter, however, to prove that imagination is neither a simple power, nor resolvable to perception and memory. In perception there must be actual sensations, while imagination may be in active operation without such sensations ; we can imagine the dress, customs, and literature of the inhabitants of Jupiter or Saturn, although we do not perceive them. Another striking difference between imagination and perception is this, that the former is always accompanied with belief, while the latter is not. We can imagine the city of London to have been buried under the lava of Vesuvius, although we do not believe it. These, and other circumstances which might be specified, go to prove that imagination is not resolvable to perception and memory. What then are the elements of imagination ? There must evidently be sensation to supply those ideas which are communicated to us by impressions from the outward world ; there must be memory to retain these ideas, and recal them at pleasure ; there must also be judgment to compare, and taste to select, such ideas. All these powers are necessary in the simplest act of imagination. Many other faculties of the mind are considered simple, which are of a different character. Of these we shall shortly analyse perception, which has been placed by Dr. Reid and his followers, at the head of the simple powers. What is perception ? It is that intellectual power by which we refer our sensations to something external, as a cause. Sensation must be considered a faculty of mind, although one of the very lowest order, and if perception imply this power, it is evidently not absolutely simple. But how do we obtain knowledge of past sensations ? Had we no faculty besides sensation, our lives would be a continual *now*, and we could not properly be said to perceive. Memory therefore is necessary to recal past sensations, and here we have another element of perception. But we can go farther than this : we feel the sensations of hardness and softness, of heat and cold ; why do we assign these names to such sensations ? it is because we feel that these qualities belong to that particular class which we denominate hard or soft. Neither sensation, however, which merely furnishes impressions, nor memory which merely recals them, can influence the mind in assigning these names. There must evidently be the exercise of judgment to feel the relation that exists between our sensations, and to call one substance hard, and another soft. If then we analyse perception and find it necessarily composed of sensation, memory and judgment, we have no reason to call it a simple power. These and similar considerations have imperceptibly led us to suppose that sensation, memory and judgment, are the only simple states of mind, and those to which all the other faculties are resolvable. An extension of this reasoning has led us to conclude that all moral phenomena likewise may be reduced to the same operations. Before discussing this latter doctrine, let us look cursorily at each of these simple powers, and we begin with sensation. This faculty enables us to take cognizance of the impressions received by the

organs of sense from the world around us. Without noticing the attempts made to explain the causes of sensation, such as the animal spirits of Des Cartes and the vibrations of Hartley, we shall merely notice a few facts regarding the power itself. It is one of the very lowest order, and common to us with the inferior animals: it is, therefore, the meanest, and yet to it we trace the origin of all our intellectual faculties. It is disputed by none, except by the supporters of the exploded doctrine of innate ideas, that, without sensation, memory and judgment would have no field on which to operate. Sensation is capable of many modifications, the most striking of which are the five senses. These furnish us with all necessary knowledge of matter, and an endless variety of delight. Some have attempted to describe the feelings which would result from the addition of other senses; their utter failure, however, teaches us the propriety of resting satisfied with the means we possess of obtaining knowledge. Another modification of sensation is that each of the senses is capable of many varieties. Touch gives us endless ideas, such as weight, softness, smoothness, and these in all possible gradations. The same is the case with the senses of hearing, seeing, tasting and smelling. We might mention that the phenomena of sensation give us either pleasure or pain. This fact depends on another modification, that the vivacity of any sensation depends on the recentness of impression. We cannot explain this fact, although we love to think of it. Nothing can give us a more delightful conception of the Supreme Being, or inspire us with a tenderer love and gratitude towards him, than this law, which provides that the continuance of a sensation renders us indifferent to it. This, while it stimulates the desire for novelty and investigation, secures this admirable provision in the moral economy of the universe, that the child of sorrow is relieved from his agony by its very continuance. Another phenomenon is, that, when several sensations are impressed, one affects us more than the other. Some have ascribed this to attention, but there is no need to invent a new faculty to explain it. In sensation—the mind is passive, and that too not from any effort of its own. When the object is present we cannot help feeling these sensations which it is calculated to awaken. We cannot exclude the sensation of smell, if a rose be present to the olfactory nerves in a healthy state—nor of taste, if we eat an orange; our minds are completely passive in receiving pleasurable or painful emotions. This is an important consideration, and furnishes some grounds on which to found the doctrine of philosophical necessity, presenting it in beautiful harmony and simplicity with the freedom of the will. If we are passive in the case of sensation, we may be so in the case of the other powers of the mind. It is sensation which brings them into energy, and is the prime mover of the mind. As our sensations are the result of preceding circumstances, so may our volitions, imaginations, judgments, and the other operations of the mind. As the currents of the ocean, or the agitation of the storm, or the convulsion of the earthquake, so may the tenderest feelings of benevolence, and the most violent paroxysms of rage, proceed from fixed causes over which we have no control. We believe in the doctrine of philosophical necessity, from a firm conviction of its immense influence in promoting the morality and piety of human beings. It is from ignorance of the doctrine that it has its enemies. All who examine it must be convinced of its truth and beneficial results to society. It is the only doctrine that leads us to seek in the proper quarter a remedy for the vices of the soul, and to pay due reverence to the supreme Disposer

of all. These are the most prominent features of sensation, and we now proceed to memory. Our arrangement is not arbitrary; it is the order of nature. Sensation is evidently the first power called into exercise, and the foundation of the others. Memory comes next in order. Without this faculty, our sensations would have passed away, and been as completely lost as those we felt in the womb. It is a perfectly distinct operation of the mind, and not, as Helvetius would have, a prolonged sensation. We are convinced of this, by looking back on past events, and considering their reality; we find that the recollection of a pain is something different from the pain itself. I admit that sensations may, in many cases, be prolonged, after their causes have been removed;—a piece of burning charcoal, if whirled quickly round, presents a circle of flame;—the spokes of a wheel, in rapid motion, appear a shaded circle,—and, if we fix an eye on some contrasted object, as a black spot on a white wall, and shut our eyes, a spectrum of the object remains: these are instances of continued sensation, and memory, as some think, is nothing more. We are inclined, however, to consider it a distinct power, from the fact that we can compare our retained sensations, and feel their agreements and differences. Memory, like sensation, is dependent on some material and bodily organ, but how it operates on such organ we cannot tell. The ancients endeavoured to do so, by conjectures founded on some analogies of material movements. They represented our sensations and ideas as impressions on the brain, and liable to endure or to be effaced. The stamp on a coin, and the seal on the wax, were considered not rhetorical allusions, but as a just description of the manner in which memory operates on the brain. Thus speaks Aristotle: "The brain of infants is soft and moist; impressions are therefore readily received, but they are indistinct, and easily effaced; thus, in walking along the sea shore, the print of the foot is soon washed away by the returning tide. As the child grows, the moisture evaporates, and the brain becomes harder; the impressions are not so easily made, but they are more accurate and beautiful. In old age, the process of evaporation has removed the moisture, the brain becomes rigid and stiff, and scarcely susceptible of new impressions, while these that are made are indelible." With this childish reasoning the schools were long occupied; modern enquirers however have abandoned it, and acknowledge that they cannot explain the connection between memory and brain—and that they know that memory operates on the brain, from the fact that want of exercise, over-much food, ardent spirits, all kinds of poison, concussions, and other injuries offered to the brain, greatly affect, and in many cases obliterate, recollection. A strict analysis of the faculty of memory would embrace,—First, those points regarding it on which there is little difference of opinion, and—Secondly, those points on which philosophers are as yet undecided. As speculations of this kind are of no practical value, we pass over these points with merely noticing them. All are agreed that memory refers to the past and present, and involves the notion of identity. In this respect it differs widely from imagination, which generally refers to the future. Speaking strictly, however, we should say, that in an act of remembering we are conscious of the present, while reminiscence itself refers to the past. Another fact which is universally admitted is, that belief accompanies memory. When asked how we are certain that an event happened a number of years ago, we answer that we believe it, because we remember. If the circumstance be not of a peculiarly striking character, we may not recollect the day or the hour on

which it happened ; still we recollect the fact, and with this we are satisfied. Some have attempted to resolve memory to reason and experience ; but what are these ? they are the result of an act of recollection, and their evidence is the evidence of memory ; accordingly, we never find the child more sceptical than the man on any subject involving memory. All agree that the elements of a good memory are,—First, susceptibility, which collects materials ;—Secondly, retentiveness, which keeps these materials together ;—Thirdly, readiness, which calls them forth on necessary occasions. The points on which philosophers differ are—First, Is memory a simple or a compound power ?—Secondly, Is it voluntary or involuntary ? In answer to the former question, we maintain, with Mr. Stewart, that if memory be considered as the power of recalling past events, it is a simple power. Hartley says, that memory is not an ultimate fact in the history of mind, but reducible to sensation, perception and desire, while Brown regards it as simple suggestion along with the elements of the notion of time. In answer to the second question, we maintain that in some cases memory is voluntary, while in others it is involuntary. Nothing but the recollection of past guilt rising up in opposition to all endeavours to suppress it, renders the midnight cell of the assassin or murderer so horrible.

In next paper we shall consider the connection between the laws of association and memory ; the extent to which the laws of association operate in our sleep, and the prophetic nature of dreams.

Sion House Academy, Jersey,

A. KESSEN.

March 3, 1837.

SCHILLER'S WILLIAM TELL.

(Continued from page 319.)

Steinen in the Canton Schwyz—a linden tree before Stauffacher's house, close to the highroad, and near the bridge.

WERNER, STAUFFACHER, and PFEIFFER of Lucerne, approaching in conversation.

PFEIFFER.

Yes, yes, friend Stauffacher, as I have said,
If possible, pledge not yourself to Austria.
As hitherto cling firmly to the empire ;—
May God preserve you in your ancient freedom !

(Presses his hand cordially and is on the point of departing.)

STAUFFACHER.

Pray tarry till my dame appear—at Schwyz
You are my guest, I at Lucerne am yours.

PFEIFF.

Thanks, friend, but I must reach my home to-day.
—Whatever grievance ye may have to suffer
From your oppressor's pride and avarice,
Bear it with patience ! All may change anon ;
The empire soon may own another sovereign,
But if you're Austria's once, you're her's for ever. *(Exit.)*

(Stauffacher sits down sorrowfully on a bench beneath the linden tree. Gertrude, his wife, joins him, and seating herself at his side, regards him for some time in silence.)

GERTRUDE.

So serious, Werner ? you are strangely altered,
I've watched your brooding mood of late in silence ;
Sad gloomy thoughts trace furrows on your brow,

Your heart's o'erburdened with some secret grief.—
Trust it to me—I am your faithful wife,
And of your grief I claim my rightful half.

(Stauffacher holds out his hand to her, but remains silent.)

Tell me what it is that can oppress your heart :
Blessed is your industry, your fortune prosperous,
Full are your barns, your herds and flocks complete,
The well-fed breed of your sleek-coated steeds
Are brought home safely from their mountain pastures
To winter in their comfortable stalls.
—Rich as a lordly mansion stands your house,
Newly erected of the choicest wood,
Constructed carefully by rule and measure,
Inviting with its many shining windows ;—
Its walls adorned with party-coloured crests
And wise old sayings, which the curious wanderer,
Long loitering, cons, admiring their sage purport.

STAUFFACHER.

'Tis true, the house is built with skill and care,
And yet, alas, its firm foundation totters !

GERTRUDE.

My Werner, tell me what your words import ?

STAUFFACHER.

Whilst lately sitting near this tree, as now,
Thinking, well pleased, of what I had accomplished,
There rode this way from Küsnacht his proud castle
The Governor Gessler with his mounted train.
Before this house he wondering stopped and gazed ;—
I instant rose, and with submissive step,
As it beseemed me, went to meet the Lord,
That represents throughout the land the Emperor's
Judicial power.—“ Whose house is this ? ” quoth he,
With ill intent, for well he knew 'twas mine,
But with collected mien, I thus replied :
“ This house, Sir Governor, is my Lord the Emperor's,
And yours, and my good fief.”—“ Then,” answered he,
“ I'm Regent in the land, in the Emperor's stead,
The peasant shall not at his pleasure thus
Build houses up and live as free and reckless,
As if he were the master of the land,
I'll take upon myself to stay this license.”
Thus saying, he with haughty frown rode on ;
Whilst I with sore and saddened heart was left
To brood o'er what the ruthless lord had said.

GERTRUDE.

Host of my home, my dearest husband, deign
To hear the upright council of your wife.
The noble and experienced Ibery's daughter
I proudly own myself. We sisters sat,
Spinning our wool, when in the winter nights,
The people's venerable chiefs assembled
To read the charters of the ancient emperors
And meditate upon the welfare of the land.
Then many a word of wisdom struck my ear,
What wise men think, what's'er the good desire,
And silently I treasured up their words.
Hear, therefore, and attend to what I say,
Long have I known the cause of your distress.
—The Governor hates you, fain would ruin you ;
You're the sole hindrance that deters the Swiss
From base submission to the imperial house,
He knows you bid your countrymen remain,
Like their forefathers, faithful to the empire.—
Have I guessed rightly, Werner, is it not so ?

STAUFFACHER.

It is so,—this is Gessler's cause of hatred.

GERTRUDE.

He envies you because you live thus happy,
A free man on your own inheritance.
—For he has none. You hold this house in fief
Both from the emperor's self and from the empire,
And you can show it full as rightfully
As the proud princes of the empire show
Their lands: You recognize no master o'er you
Except the highest in all Christendom.
This Gessler's nothing but a younger son,
Nought save his knightly mantle is his own;
And hence he views each honest man's success
With the all-grudging eye of jealousy.
Long hath he vowed your utter ruin,
As yet you stand uninjured.—Would you wait
Until he wreak his evil purpose on your head?—
The prudent man anticipates—

STAUFFACHER.

What's to be done?

GERTRUDE. (*draws nearer.*)

Hence, listen to my council!—Well you know
How here in Schwytz all honest men complain
Of Gessler's avarice and cruelty;—
I doubt not but that on the other side,
In Unterwalden and the land of Uri,
They're also weary of their tyrant's yoke:
'Tis certain that on yon side of the lake,
Their Landenberger acts as fell a part
As Gessler here—no fishing-boat arrives
Without fresh tidings of some ruffian deed,
Some dire injustice done by these vile governors.
'Twere therefore well, if some choice few of you
Consulted honestly and privily together
How best to rid yourself of this oppression;
Heaven, then, methinks, would not abandon you,
But be propitious to your rightful cause—
Have you in Uri no tried friend, to whom
You could with frankness open all your heart?

STAUFFACHER.

Full many are the good men I know there,
And gentlemen of rank and powerful influence,
With whom I am familiar and in confidence.

(*Rising.*)

Woman! what storm of dangerous thoughts dost thou
Rouse in my silent breast!—my inmost self
Thou turnest to the light of day before me;
And what I silently forbade myself
To think, thou speak'st with light tongue boldly out.
But hast thou weighed thy council to me well?—
Wild discord and the din of arms thou callest
Into this vale so long to peace accustomed—
Dare we, a feeble shepherd nation, venture
Forth to the strife against the world's proud lords?
They wait but for a plausible pretence
To let loose on this poor devoted land
The wild hordes of their warrior hosts,
To lord it here with the proud victor's right,
And 'neath the semblance of just chastisement
To cancel and destroy our ancient charters.

GERTRUDE.

You are men too, and know well how to wield
Your axe—the valiant find an aid in God.

STAUFFACHER.

O wife, war is a dire calamity
That, raging, strikes the shepherd and the flock.

GERTRUDE.

Whate'er the Almighty sends we must endure ;—
No great and virtuous heart will bear injustice.

STAUFFACHER.

This house, so lately built, rejoices thee ;
The monster war will whelm it in the flames.

GERTRUDE.

Deemed I my heart to earthly treasures fettered,
This hand should hurl the firebrand on my dwelling !

STAUFFACHER.

You trust in man's humanity ; but war
Spare not the tender infant in its cradle.

GERTRUDE.

Pure innocence hath, aye, a friend in Heaven
—Look boldly forward, Werner, not behind you !

STAUFFACHER.

We men can, bravely fighting, die with honor ;
But what, alas, O, what will *your* fate be ?

GERTRUDE.

One choice is still reserved even for the weakest :
A leap from off this bridge would make me free !

STAUFFACHER. (*rushing into her arms.*)

The man that to his breast can clasp a heart
Like this, will gladly fight for house and home,
And boldly face the mighty hosts of kings—
I'll lose no time, but forthwith speed to Uri.
There dwells good Walter Fürst, my trusty friend,
Who thinks as I do of the present times ;
And there too I shall find the noble baronet
Of Attinghaus—although of high degree
He loves the people, and respects our ancient manners,
With these I will devise how best we may
Courageously resist our country's foes—
Farewell !—and whilst I'm far, be it thy care
To govern with a prudent hand the household.
The pilgrim journeying to the house of God,
The pious monk collecting for his cloister,
Claim thy best gifts, dismiss them with good cheer.
Stauffacher's house stands not concealed, but foremost
On the high road, a hospitable roof
For every traveller that may wend this way.

(*Whilst they return to the back ground, William Tell
and Baumgarten advance to the front of the stage.*)

TELL.

You need my aid no longer now, good friend,—
Enter yon mansion, there dwells Stauffacher,
A father of the wretched and oppressed ;—
But here he is himself—come, follow me !

(*They go up to him—the scene changes.*)

J. D. PIERCEY.

THE ROMAN DE ROU.—No. 8.

(Continued from page 280.)

THE revolt of the peasantry was quickly suppressed by the energy of Count Raoul, uncle to Duke Richard the Second. He, however, tarnished his memory by the perpetration of the most horrible cruelties. Some of the rioters were impaled; others had their eyes torn out; some had their hands amputated; others were burnt alive. The leaders of the rebels, who had property, were severely fined.

Richard then gave large estates to his brothers; but William, who had received in *apanage* the extensive and fertile territory of Hyèmes, and taken the usual oath of fealty, quickly revolted, and rose in arms. He was made prisoner and confined in the castle of Rouen. After a captivity of five years, he effected his escape, but as no one would lend him the least assistance, he was obliged to live concealed in the woods. Having wandered about for some time in this destitute condition, he resolved to throw himself at the feet of the duke, his brother, and supplicate his pardon and forgiveness. His place of retreat was the forest of Verney, in the Bessin, two leagues distant from Bayeux, which then formed part of the ancient woods of Bur, a favourite hunting ground of the Dukes of Normandy, in the neighbourhood of which they had many *chateaux*. The ruins of one of them may still be seen at Noron. In the seventeenth century, a parochial church was built in the forest of Verney, and dedicated to St. Paul. Here it was that William made his peace with Richard, who generously gave him the province of Eu. He also married him to the rich countess Esseline, sister to Amschetil, baron of Harcourt, by whom he had three sons. The nuptials were solemnized by Hugh, bishop of Lisieux, erroneously named by Wace, John, and the countess rebuilt the abbey of the Virgin Mary, on the river Dive.

Our author next notices the attack made by the English on Normandy. Ethelred, then king of England, who had married one of the sisters of Richard, embarked a formidable army at Portsmouth, which landed at Barfleur. Néel of Saint Sauveur, now called Saint-Sauveur-le-Vicomte, in the department of La Manche, commanded in this district, and collected the people to defend their territory; even the women joined his standard, if we are to believe William of Jumieges. The English, at their first landing, committed dreadful ravages, but were soon attacked by the inhabitants of the Cotentin. The defeat of the English was complete, and so exterminating was the slaughter, that Wace declares only a single fugitive escaped from the field of battle to announce the discomfiture of the army to the fleet. The sailors immediately weighed anchor, and returned to England, when they reported the disaster to the king.

Wace next alludes to the extermination of the Danes, established in England, only two escaping to carry the intelligence to Denmark. Sweyn, king of Denmark, inflamed with fierce indignation at this treachery, levied an army, and made a descent in the north of England. He marched to York, where the barons, alarmed at the sight of this formidable expedition, purchased a peace. He then hastened to London, which capitulated, and afterwards subdued the whole of England, which, at that time, had no fortresses or strongholds. Ethelred with his family retired to Normandy, where he remained till the death of Sweyn, which happened in 1014, when Ethelred returned to England. Canute, son of

Sweyn, succeeded his father in the sovereignty of Denmark. On receiving news of the death of his parent, he sailed for England, and besieged London. Ethelred vainly attempted to defend his capital; he sunk under the difficulties of his position and died, when the inhabitants of London submitted to Canute. Edmund Ironside, son of Ethelred, made head against the Danish invaders, but his career was cut short by assassination. Canute married Emma, the widow of Ethelred, by whom he had children, Hardyknute, and Gunil, as Wace calls her, or Chunelinde, who was married to Henry the Third, emperor of Germany, in 1036. But this was not the only elevation of the posterity of Richard the First of Normandy. Geoffrey, earl of Bretagne, espoused a sister of Richard the Second, and Odo, earl of Chartres, married another sister. This latter dying without issue, Richard claimed back her dowry, which Odo refused to restore. A war ensued, which terminated in the defeat of Odo at the battle of Tillieres, a strong fortification erected by Richard to defend his frontier. The Earl of Chartres, however, continued the war, and, while he ravaged Normandy, the duke laid waste the Chartrain.

Richard now calls to his aid two of the Scandinavian princes, called by Wace, Colan and Coman. This is an obscure part of the early Norman annals, but the researches of M. Depping, in his "*Histoire des Expéditions Maritimes des Normands*," has thrown considerable light on the names of these two kings, both of whom have been variously represented by the Norman chroniclers, according to their different fancies. It is beyond doubt, that they really were Olaf Tryggveson and Swend, his brother in law. According to the Saxon Chronicle, Olaf had been baptized in England in 994; and he underwent the same ceremony afterwards in Normandy. The old writers have disfigured with numerous fables this last expedition of the Scandinavians to Normandy.

The narrative of Wace is to the following effect. A violent tempest drove the two kings on the coast of Brittany. Fearful of being attacked by superior numbers in a hostile country, they dug deep trenches in the front of the encampment, and filled them up again with loose earth. When the Bretons came to the charge, horses and men were engulfed in these pits, and easily slaughtered. The conquerors then marched on Dol, which they took and destroyed. This stratagem was a favourite scheme with the old annalists. We find it mentioned on three occasions, to wit, first, in 992, at the battle of Conquereuil, between Conan, duke of Brittany, and Fulk, Earl of Anjou; secondly, at the period above mentioned; thirdly, in an invasion of Aquitaine, by the Scandinavians.

The two kings arrive in Normandy without farther interruption, and unite their forces with those of the Duke of Normandy. The French monarch, alarmed at this junction, reconciles Richard and Odo, and hostilities terminate. On this occasion, the Scandinavian king, Olaf, is converted to Christianity, and receives the rite of baptism, after which he returns to his own country.

Richard, shortly after this peace, married Judith of Brittany, by whom he had six children; Richard the Third, his successor in the dukedom; Robert, who succeeded his elder brother; William, called William of Normandy, who became a monk in the Abbey of Fecamp, and died very young in 1025; Alice, married to Renauld, earl of Burgundy, Eleonora, to Baldwin, earl of Flanders, and Papia, to Guilbert of Saint Valery. The duchess Judith died in 1017, and was buried in the abbey of Bernay, which she had founded. After her decease, Richard married his former

mistress, Papia, or Pope, by whom he had two sons, Mauger, archbishop of Rouen, and William, earl of Arques, the district lying between the territory of Caux and the province of Eu.

Rensauld, son in law of Richard, was surprised by Hugh, bishop of Auxerre, and earl of Chalons, and by him confined as a prisoner. The duke in vain solicited his liberty, and finding all amicable negotiation fruitless, sent a body of troops into Burgundy to rescue his relation. They committed the most exterminating ravages in the territory of Hugh, who, dreading the entire conquest of his dominions, released his captive.

Duke Richard the Second was engaged in some other wars not noticed by Wace. In 1019, at the request of the King of France, he attacked, and took possession of, Melun, and restored that city to Count Bouchard, who had been expelled from it by a rebel, named Walter. This insurgent chief was hanged by order of the King of France.

The French monarch and Richard also effected the subjugation of Burgundy, which the king gave as an *apanage* to his son Henry, who, on ascending the throne, yielded it to his younger brother, the ancient stock of the first race of the Dukes of Burgundy of the blood royal of France. They also supported Baldwin, earl of Flanders, against Otho the Third, and compelled that emperor to restore to Baldwin the city of Valenciennes.

After a reign of thirty years, Richard died at Fecamp, in 1027. By his last will, he bequeathed one-third of his moveable property to the poor; declared his eldest son, Richard, his successor in the dukedom of Normandy; and gave the province of Hyesmes to his second son, Robert. Under his government agriculture was protected, commerce encouraged, justice impartially administered, and general prosperity established. We may imagine the happiness of a people governed by a prince who adopted as his ruling maxim, "Injustice in princes disgraces them, while it honours their victims."

Scarcely had Richard the Third girded himself with the ducal sword, than his brother Richard, dissatisfied with his share of the patrimonial inheritance, seized on the town of Falaise, which he entered towards the close of September, 1027. He was not long in possession of his conquest; the duke, on receiving intelligence of this revolt, collected some of his most trustworthy followers, and on his approach to Falaise, Robert abandoned the place. The duke pursued him to the walls of Hyesmes, which he entered despite the most vigorous resistance of Robert, who was taken prisoner. Richard behaved with magnanimity after his victory; he pardoned his brother and restored his province. But his reign only lasted two years, and he died at Fecamp on the 3rd of February, 1028, and was buried in the abbey of that town. Robert, his successor, has been accused of having poisoned him, but there is no proof to warrant so hateful a suspicion, and his whole character in after life convincingly shows that he had none of the feelings of an assassin. His history will form the next article on the "Roman de Rou," after which we shall arrive at the interesting reign of William the Conqueror, so graphically sketched by Wace.

(To be continued.)

KNIGHT'S TOUR IN NORMANDY.

(MURRAY, London. p. 258.)

THE author of this work, Mr. Henry Gally Knight, M. P., has been long and advantageously known in the republic of letters. The Norman Society of Antiquaries, having assigned dates to some churches, built in the pointed style, which would carry them up to a very remote antiquity, this novel and unexpected declaration excited very considerable astonishment and curiosity among English antiquarians, and Mr. Knight resolved on making an architectural tour of Normandy, accompanied by Mr. Richard Hussey, a professional architect, and personally inspect the buildings on which the new hypothesis was founded. The Norman Society, in their report, maintained that churches exist in Normandy, at Coutances, Mortain, and other places, which were built in the *eleventh* century, and built in the *pointed style*. Mr. Knight has successfully refuted this opinion, and has clearly established the four following points. 1. That the supposed existence of the pointed style in Normandy, in 1056, is a pure imagination. 2. That the Normans, adopting the corrupt Norman style, gave it a character of their own. 3. That the Normans greatly contributed to the advancement of the arts in England. 4. That architecture performed exactly the same revolution in England and France, France having, in all the changes, a certain precedence. It is, however, to be observed, that though priority in the adoption of the pointed style cannot be allowed to Normandy, neither can it be denied to other parts of northern France.

The main object of Mr. Knight's work, so far as he enters the lists against the Norman Society of Antiquaries, is to fix the date at which the *pointed style* superseded the *round arch*. The question is an interesting one, as it marks an important period in the history of civilization, and the progress of art. It is, however, encircled with difficulties, there being nothing more vague and uncertain than dates, when we go back to a very remote period. Many circumstances are apt to mislead the judgment in these inquiries : for example ; we may confound the date of the reparation of a church with the date of its original construction ; we may be deceived by the date of consecration, taking *that* as evidence of the period of building ; but consecration was performed, not only after a church was first erected, but also when any considerable addition was made to the fabric. Even the discovery of the body of a saint, or the translation of holy relics, have led antiquarians astray in fixing the dates of ecclesiastical edifices, for on those occasions solemn ceremonies were always performed, and we must distinguish the consecration of the sacred treasure from the consecration of the building.

The turbulent and predatory character of the middle ages will be admitted by all who have studied the ancient chronicles, and the readers of this Magazine have seen numerous instances of this destroying spirit in the articles we have written on the "Roman de Rou." Two circumstances, in particular, merit notice, as accounting for the frequent demolition of churches in Normandy ; first, the paganism of the northern invaders under Rollo, which, of course, removed all respect for sacred edifices, and rather prompted these fierce warriors to raze them to the ground, as a religious duty. Secondly, the fact of all buildings being constructed exclusively of wood, thus rendering them an easy prey to fire, an engine of destruction, as much employed in local, and general, wars, as the sword. In addition to these two causes, we may mark five distinct

periods, which have proved peculiarly disastrous to Normandy, not only in reference to the demolition of its churches, but also of its general property. 1. During the ravages of the Normans in the ninth century. 2. During the wars between John of England, and Philip Augustus of France. 3. During the invasion of France by our Henry the Fifth. 4. During the religious wars in the sixteenth century. 5. During the French revolution.

We shall now make some extracts from the tour, selecting those localities which are connected with the early history of the Channel Islands. We shall commence with the cathedral of Coutances, the bishop of which was diocesan of the islands, before they were annexed to Winchester after the Reformation, observing that this is one of the buildings which the Norman Society of Antiquaries adduced, in support of the early adoption of the pointed style.

"There is no doubt," says Mr. Knight, "that, on the spot where the cathedral now stands, a new cathedral was begun by Bishop Robert, in 1030, which was finished by his successor, Bishop Geoffrey de Moubray, and consecrated in 1056; and the Norman Society of Antiquaries assert that the greater part of the existing building is the work of Bishop Geoffrey; in other words, that the pointed style was adopted in France one hundred and thirty years before it appeared in England, and nearly as much before it appeared any where else.

"Coutances, which is only four miles distant from the coast, shared the fate of so many of the towns of France, and was almost destroyed by the Normans in the ninth century. A century and a half elapsed before any attempt was made to raise it from the dust. At length Robert, bishop of Coutances, began the restoration of the church, but it was Geoffrey, his successor, a man of high birth and equally distinguished for his abilities and virtues, who devoted himself, heart and soul, to the pious work. In his undertaking he was largely assisted by the Norman barons, and particularly by Tancred de Hauteville and his six sons, who, born within the diocese of Coutances, had effected conquests in Apulia and Sicily, that appear like the fictions of romance, and who, at the earnest solicitation of Geoffrey, sent a liberal portion of their Italian spoils to advance the restoration of the Norman cathedral. The cathedral was consecrated in 1056, in the presence of William, duke of Normandy, nine years before he conquered England. These are admitted facts, and have enough pomp and circumstance about them to make any one wish to believe that they belong to the fabric which is still before our eyes.

"But what is the style of the architecture of this fabric? Does it resemble the buildings which, in 1056, and for above a century afterwards, were constructed in that country? Does it resemble St. Stephen's, of Caen, as the presence of William at its dedication might lead us to expect? Does it resemble any building which at that time had made its appearance in any part of the world? On the contrary, it is altogether in the advanced pointed style, with reparations of a later date.

"It is a fine edifice, large in all its parts, and lofty,—ornamented, but not surcharged. Its two western towers, terminating in spires, are unusually high and beautiful, and, for a wonder, are both finished and alike. On either flank rise a crowd of pinnacles and pyramids, and, on one side, in an elevated situation, are seven niches, which, till the revolution, held the statues of Tancred and his six sons. The interior is remarkably lofty, above an hundred feet from the floor to the key-stone of the vault. Cluster piers support the arches which divide the nave from the aisles; coupled pillars surround the choir. Most of the windows are of a later date than the body of the building.

"At first sight, then, we cannot but come to the conclusion, from the certain evidence of construction and style, that the cathedral now existing at Coutances is not the one which was consecrated in 1056. Had it even been a transition church,—had any thing like it existed at the time in any other country, we might have admitted a doubt; but it is impossible to believe that the pointed style should have broken forth at once, at this spot, in all its perfection, and without having produced any effect on the architecture of the country for above a century afterwards. Let us now inquire what light is thrown upon this subject by the few and faint records which have come down to our times.

"The *Livre Noir* of the chapter of Coutances (so called from the colour of its binding) is the document to which the French antiquarians refer, and upon which

they ground their hypothesis. This *Livre Noir* was compiled by order, and under the eyes, of John d'Essaye, who was elected bishop of Coutances in 1250, and as its pages contain nothing about any alterations in the fabric, it is brought forward as a proof that no alterations could by possibility have taken place. The *Livre Noir* is now lost, but the Abbé Toustain de Billy, in his "*Histoire du Diocèse de Coutances*," expressly states what its contents were, and from this source, as well as the *Gallia Christiana*, we learn that that part of the *Livre Noir* which was compiled under the eyes of Bishop John d'Essaye, was nothing more than an *account of the advowsons of the diocese, and their value in 1252*,—nothing more than a *terrier*, and, whatever architectural operations might have been accomplished or in progress, is it probable that any notice of them would be found in a document dedicated to quite another purpose? The silence, therefore, of the *Livre Noir* proves nothing. Let us now see what information can be obtained from other sources.

"There exists nothing to show what were the fortunes of the cathedral of Geoffrey up to the time of John d'Essaye. It may, or may not, have remained intact till then. But, from inscriptions still legible on the walls, it appears that John d'Essaye himself endowed four, if not all the six, chapels on the north side of the nave, and his endowing them almost certainly implies that he built them. Here is also reason for believing that he rebuilt, or finished the reconstruction of, the choir, because he lies buried in the middle of it, and (with a single exception of so late a date as not to bear upon the present question) John d'Essaye is the only bishop buried in that part of the church; a distinction which in ancient times was the usual reward of the builder. Here, then, are proofs of considerable alterations, at least, in the second half of the thirteenth century, and, if the whole of the cathedral was not rebuilt at that time, historical notices remain to point out the period when other alterations took place.

"In the year 1356, soon after the battle of Poitiers, Geoffrey d'Harcourt came with his army to Coutances, took possession of the town, and laid siege to the cathedral, which had been garrisoned and resisted his summons. A French army drove him away before he had effected his purpose, but not before "*la dite église avoit été moult endommagée par le siège que nos ennemies mirent devant notre dite église, qui lors étoit forte, et par les pierres d'engin qu'ils jetterent.*" The writer adds, that the cathedral was damaged "*au point d'être en voie de choir en ruine.*"

"From the serious nature of the injuries which the cathedral received in 1356, it must have undergone repairs and alterations of importance enough to account for the disappearance of all remaining traces, if any remained, of the original work. The troubles of France, and of Normandy, for some years interfered with so great an undertaking as the reparation of this cathedral; but in the year 1371, Sylvestre de la Cervelle was made bishop of Coutances, and in the same year Charles the Fifth granted him a large sum towards the prosecution of the work. Some years afterwards, Sylvestre addressed a brief to all the parishes in his diocese, beseeching them to assist the work with their contributions. Sylvestre incessantly urged on the repairs to the day of his death; and in the year 1387 was buried in the Lady chapel, which he added at his own expense. The reparation was in hand for some years longer. An act of Charles the Sixth is preserved, in which he grants the Chapter of Coutances certain indulgencies, in consideration of the expenses they had sustained in the repairs of the cathedral, and, by a decree of the Chapter of Coutances, in the year 1402, it appears that the work was not completed at that time. The miracle, therefore, is a dream, and the existing cathedral belongs partly to the second half of the thirteenth century, and partly to a period by more than a century later than the above-mentioned time."—Pages 99 to 108.

This extract is long, but it did not admit of abridgment; our principal motive to select it for quotation, was to present the line of argument and illustration adopted by Mr. Knight in destroying the hypothesis of the Norman Society of Antiquaries, who have attempted to give an unreal antiquity to the introduction of the pointed style in architecture. As he pursues a similar plan in his criticisms on other cathedrals and churches, this example is sufficient to explain the manner in which he handles the subject. We must, however, briefly notice some other localities in Normandy, which are interesting to the inhabitants of the Channel Islands.

* *Histoire M.S. de Coutances*, par M. Demont.

The Abbey of Hambye is about thirteen miles distant from Coutances, seated on an eminence, surrounded by deep valleys. Mr. Knight tells us that this castle belonged to the family of the Pagnels, a branch of which settled in England, and added its name to the town of Newport, in Northamptonshire. Our author gives the following description of the abbey :

"This abbey was originally founded by William de Pagnel, the proprietor of the castle on the hill. He signed the act of foundation in 1145, in the presence of Algare, bishop of Coutances, and others. But the annals of Hambye are more loud in the praise of Johanna de Pagnel, whom they represent as having built the convent and the church, in the early part of the fifteenth century. This, however, must have been a reconstruction. A convent and a church, no doubt, arose soon after the foundation, but, in the course of nearly three centuries, may have fallen into a state of decay, or suffered from the violence of the times. The truth seems to be, that Johanna de Pagnel, either entirely, or in a great measure, rebuilt the fabric which at present exists. Joan de Pagnel was the last of her line, and carried the estate into the house of the d'Estoutevilles. Her husband, Louis d'Estouteville, made a gallant and successful defence of Mont St. Michel against the English, in 1424. They were both buried in the choir of the church of Hambye, where their tombs existed till the revolution. At a short distance beyond the abbey is a bridge over the river, beyond which the road divides, and conducts, one way, to Gavray, and the other way, to Perci, the cradle of the Dukes of Northumberland. Perci is about three leagues distant from Hambye."—Pages 114, 115.

Mr. Knight gives the following account of the Haye du Puits ; and as the old Norman lord of that district passed his life in adventures, he may have sojourned in Guernsey, and given his name to the estate in the Câtel parish :

"Richard de la Haye, lord of the burgh of La Haye du Puits, and a favourite of our Henry the Second, conjointly with his wife, Matilda de Vernon, founded this abbey in 1155, and erected the buildings at his own expense. Richard did not live to see the accomplishment of his undertaking, dying in 1169. But his widow, who survived him forty years, completed the work. The life of Richard de la Haye was chequered with such adventures as, in those days, were ordinary occurrences, and are now the stock in trade of the writers of romance. Refusing to swear fealty to Geoffrey, count of Anjou, who invaded, and obtained temporary possession of, Lower Normandy, Richard de la Haye escaped on board a vessel, which was captured by corsairs, and, for many years, he underwent the greatest hardships. Perhaps he founded Blanchelande in grateful recollection of his deliverance from slavery, and his safe return to his native land."—Pages 94, 95.

The two concluding chapters on "Norman Architecture in Normandy," and "Norman Architecture in England," are replete with solid instruction, and amusing historical reminiscences. We can cordially recommend this volume to all who feel an interest in the dispute now existing among antiquarians on the dates of the round arch, the transition period, and the pointed style.

L'AVAL DE ST. PIERRE.

A TALE.

*Nescio quid natale solum dulcedine mentem
Tangit* —

PART III.

How swift the expecting moments fly !
How short the misty past appears !
The months are flown !—the time is nigh,
Those months, that coming, seemed like years.

The morn behind the isle arose,
In sober grey, in saffron pride,
Bright as a youth when first he throws
His arms around his blushing bride.

The din, the hurry, all was hushed,
And Mary, too, unseen was gone ;
Her lover flew—her lover rushed—
He found her as he wished—alone.

Could I but on their parting dwell,
Nor touch that tragic chord in vain,
But through each closing stanza swell,
And wake its most pathetic strain.

Soon locked were their expressive arms,—
His lips the words of hope ceased;
But the sad heart his voice disarms,
And grief o'ercomes the sinking maid.

Such grief is fatal—but its power
Destroys not as it speeds the dart,
Ere the mute anguish of that hour,
Had burst for aye each breaking heart.

At length she faltered out—"Farewell,
May righteous Heaven reward thy worth,
We meet no more, no more,—farewell,
Such love as ours was not for earth."

His soul rose in a gushing flood,
His speech had brooked no more delay;
But instant there his father stood
And led him thence by force away.

Seek ye to hear expressly said,
That through the morn the maid did weep,
How when the sun reversed its shade,
She stood on yonder headland steep.

How gazing on the wide, wide sea,
She saw the white sailed bark that bore
Her love, come sweeping gallantly,—
Alas! that bark returns no more.

And how, till drew the dusky night
Her shadowy curtains o'er the tide,
She watched the frothy billows white
That chafed against her lessening side.

Thence home returning ne'er was seen
In sight of youthful sport to share,—
One single thought could mar the scene,
For he, who loved her, was not there.

No more within the house of God
She breathed her gentle soul in prayer,
Nor trod she more the valley's sod,
So fixed, so deep, was her despair.

Taken with hurried step, the bay
She sought, to learn of fishers rude,
If in the offing far away,
They had perchance some vessel viewed.

Through months, through years, insatiate time
Still swept along his iron course,
And many a bark, from many a clime,
Had sailed past Hancock's billows hoarse.

As wave on wave for ever flows,
Successive on the shore to die,
So each illusive hope that rose
Spilt on the stern reality.

Reflect but on her hopeless fate,
Beneath a stranger roof, forlorn,
And he alone, who cheered her state,
So cruelty from her bosom torn.

The mind, by dull suspense accurst,
Will eagerly its powers employ,
And ever seek to know the worst,
E'en though that knowledge may destroy.

The mind, by deep affliction stung,
That broods in silence o'er its woes,
Strains till each lucid chord's unstrung,
And frenzy from the ruin grows.

Time, that will soothe the deepest wrongs,
Heals not the mateless turtle's grief,
And rumour breathed through thousand tongues,
With each new fiction wins belief.

We might as well the tempest chase
To learn whence it may come or go,
As to its source that rumour trace
Which closed her pilgrimage below.

Thus said, a stranger bark had seen
The ill-fated vessel stranded high,
Where forests of tall coconuts green,
Wave graceful in the burning sky.

And where the chilly polar star
No longer dreads the colder sea,
Nor beams the index hand afar
Of heaven's revolving canopy.

And sought they not the hapless crew,
The sky so bright—the clime so fair?
Oh, no! for death is on the dew,
And prowls the Cannibal Indian there.

Tune thou thy harp! sweet island maid,
And bid thy wildest notes arise;
Thy Islesman sleeps in deadly shade,
And hovering o'er the vulture cries.

The tears did drench old Robert's cheek
Nor mourned he for his son alone,
But deep was the shock to the maiden weak,—
The hour of fortune was flown.

Nor sun henceforth, nor vassal moon,
Shall light but a form of moving clay,—
Her spirits reel,—her senses swoon,
And closed was reason's glorious day.

Long had her broken, bleeding heart,
Struggled on life's most stormy waves,
As some proud bark, whose cables part
Whilst fiercely round the tempest raves.

Strong, strong, the floods of anguish drive,
One slender fibre holds their prey,
The stroke must come, the pang arrive,
To tear, to rend that tie away.

When she, alas! its sweets could taste,
Oh! had they half the kindness shown,
That on her senseless wreck they waste,
She ne'er had moody madness known.

Whilst as their vigilance to shame,
At midnight still she sought her love,
In each dear spot where once they came
The hollow shore and echoing grove.

And vain was lock and bolt and bar,
And vain her pitying neighbour's care,
She would their kindest projects mar
And to the dismal heights repair.

One night she laughed, by fit, and sung,
And wildly watched the changing gleam,
As dark clouds rolled the skies along,
And shrouded off the moon's pale beam.

Black emblems of life's thousand ills,
E'en reason ye might terrify,
Did she not as yon orb redilla,
Her own immortal state decry.

Just then a cloud obscure o'ercast,
And as a veil the moon did hide,
Whose last faint ray glanced swiftly past,
And far along the waters died.

"'Tis gone," she cried, "o'er the waters blue,
The self-same way my Robert took,
And I will too that path pursue,
Once more upon his features look."

She flew adown, adown, the vale,
Till darkly gleamed the waters blue—
(Mine is a melancholy tale,
And sorrow's chain is round me too.)

Frantic she crossed each moaning shade,
Before her, thundering, rose the rocks,
The breezes sighed, the night-winds played,
And wildly streamed her raven locks.

She climbed that bleached castle dread,
By Rocquaine's angry ocean laved,
Loudly she called on her true-love dead,
And her snow-white hand she waved.

And from its loftiest summit thrown,
Headlong she plunged in the breakers' roar;
Loud was the splash—the waters groaned—
She sunk—to rise no more.

Deep is that face in ocean's brink
That once had bloomed with equal grace,
As Ceylon's rose where Moslem think
The monogram of God to trace.

Long did they search,—the search was vain,
Though hill and dale sent forth her name,
And nine long days round thy shores, Rocquaine,
By daylight broad and torches' flame.

The murderous crab her face deforms,
The slimy eel is round her rolled,
And o'er her head a thousand storms
Shall waste their rage, unfelt—untold.

And, stranger! if my humble strain,
Should ever tempt thy steps to seek
Our distant shores, by the western main,
Thus much will I thy zeal bespeak.

They rest not in their native vale,
No rustic tomb the traveller sees,
Where youth might weep and minstrel wail
Their sorrows to the passing breeze.

Apart the hapless lovers sleep
Without a name, without a stone,
One lies beneath the cold blue deep,
One—in a shore unknown.

P.

THE HERMIT'S PAPERS.—No. 4.

Errata in the Hermit's last.—The allusion to Aristotle and *Mandeville* (a needless prettiness) dropped unawares from his pen. The "grumbling hive" is a political mare's nest. If the vices and follies of society's hornets and drones were public benefits, inasmuch as they furnish ample scope to the competitors for wealth and comfort, what would be the use of revelations, and codes, and judges, and executioners? The Anglo-Dutch empiric's demi-recantation is but a lame apology for the mischief of these Epicurean visions of anti-social optimism. But the Hermit only thought of the hive as a model of harmonious and active intellectual industry—"l'ordine de gli ottimati che si ritrova in una Cebra, dove molti con diverso suono fanno un medesimo suono; et così videro, (lo disse San Grisostomo,) mirabilem rem, in multis unum et in uno multos."

"When beams of warm imagination play
The memory's soft features melt away:"

So, like water and fire, that delight in putting each other out, the chronicle and the picturesque are often at variance. A moment ere he slipped his paper into the letter box, the Hermit found, on referring to *Collectanea Sarniensia*, (Fascic. xiii, No. 186,) that a plausible descendant of Archbishop Mauger, one "Mauger the Bastard," Richard Cœur-de-Lion's physician, Archdeacon of Evreux, Bishop of Worcester, a prelate hand in glove with the pope, had been confounded with a son of our primate. (Compare *Annal. Wigorn. ad. ann. 1199*, with *Annal. Tewkesbur. ad. ann. 1200, 1208, 1209, 1212.*)

PRÆTEXTATUS, BISHOP OF ROUEN.

A. D. 577-584.

Vestem ovis tuz, lupe rapax, cernimus!

St. Hilary of Poitiers.

Diedi al giovan Re i mai conforti;
Io feci 'l padre e il figlio in se ribelli:
Achitofel non fe più di Absalone.

Dante. Inf. 28.

UNFORTUNATELY for himself and his biographer, Prætextatus was a bishop. Had he but been, as his commission required, a teacher of goodness and a minister of peace, the worthless prelate might still simper and smile in his quiet niche among the blessed missionaries and innocent martyrs of Jersey's royal chaplain. Let us, however, discard, with a frown of Christian disgust, that soft and easy method of adorning lies and diluting truth, which, while it "turns no student pale," edifies and bamboozles the frivolous reader. Falle's summary mode of despatching the case of our insular puritans, is quite as instructive as the good man's alacrity to suppose that every mitred convict was, of course, and, *ex-officio*, a saint. He reminds the few who reflect on what they read of that law of Constantine, which declared the word of a bishop paramount to every other testimony! Hence Montesquieu's refined sarcasm on the solecism in Christian ethics of this otherwise excellent imperial "Bishop of the Church's outworks," (*Επισκοπος των εκτός της εκκλησιας*)—"Il jugeoit des affaires par les personnes, et des personnes par les dignités."

When Constantine, alarmed at the consequences of his devout prodigality, made a law for the admission of "the pauper class" to the dignities of the church, lest all his "sublime" attendants (whether "Grand Masters of the Palace," or "Grand Masters of the Kitchen,") should turn bishops,* he was too sincere a novice to think of diverting those mighty streams of gold and silver, which he saw flowing from every quarter, into the crystal sea. His edict was, of course, a complete failure.

The Franks had an extraordinary regard for their *Gudjas*, or Divines, and (*Pluostar-Hys*, or) Slaughter-House Priesthood.† Tacitus did not exaggerate when he spoke of them as *jure divino* judges, gaolers and executioners.‡ Hang-

* Cod. Theodos. c. 6. de *Episcopis*. † Glossæ Pezianæ advoc. *Pluistar*. ‡ Taciti *Germania* 7.

ing and drowning were, it is true, the regular and most approved manner of cooking a dinner for Odin; but, on high days and holidays, the *Wal-Feld* or Field of Hell, the battle-field, was converted by consecration into a *Hunslo-Stath*, (HOUSE-SLOW) or Altar; and thousands of warlike souls were thus offered up, by way of thanksgiving, to a god who taught Mimer how to sing when he had cut off his head, and, who, moreover kept a flock of tame ravens that croaked High-Dutch most grammatically.*

There is no pleasure in such unhallowed associations of the sacred and the profane as are implied in the supposition that Clovis, who seems to have confounded Jehovah with his godling of the battle-field, never was a Christian. Far be it from us indeed to question the necessity of providing the community with houses of prayer and competent teachers of the way of salvation! Still, it would be hazardous to imagine that the savage neophyte's unreasonable concessions, and lavish expenditure on the Gallican priesthood, in the first paroxysms of his otherwise barren noviciate, were not the source of incalculable injury, both to the church and state of his new kingdom.

The true faith and ritual—beautifully simple, like all the creations of their author and finisher—were introduced at Lyons (once the metropolis of Gaul) by commerce, from the seven cities of proconsular Asia. But the conquests of a religion destined for universal acceptance, whose first teachers were fishermen and whose nursing fathers are to be kings, made a rather slow progress in that wretchedly governed province. The property of the soil (under the Flavian emperors and the christian borrowers of their family-name, the house of Constantine,) had fallen into the hands of a few grasping landholders; "rich men" of that very class against whom one of our Lord's brethren discharges a quiverfull of evangelical arrows, and of whom it is written, that they "have heaped treasure together for the last days." (James v. 3.) In the writings of Ausonius, Sulpicius and Apollinaris, the curious reader will find authentic samples of the classical, yet frivolous, attainments of this encroaching order of prædial slave-masters. The small proprietors disappeared. The (*paganry*, or) peasantry, degraded by every variety of meanness and vice, were aliens to the soil they tilled; and the only resource of this motley rabble of servile barbarians was to snap their chain, at the first opportunity. A vindictive insurrection—such as only figures now-a-days in an Irish or Jamaica newspaper—occasionally enlivens the melancholy pages of the soporific annals of those good old times. They call it a *Baghdad*:† it is still, alas! a Tipperary word.

Early professors of faith, hope and charity, were only to be found in here and there a sea-port on the Mediterranean; or among a few Greek and Roman trading communities, near the mouths of the Rhône, or on the banks of the Loire, the Seine and the Saône.‡ Ephesus and Rome—the true mother-churches of Christian France—provided these little associations of humble and industrious believers with instructors qualified to guide and feed the flock of Christ; and, as they led it through green pastures, the sod was, from time to time, sprinkled with their blood.

Such then were the circumstances of the land of our fathers when another race of spiritual pastors arose. Memory dwells with pleasure on the splendid names of many a shepherd-king in this new dynasty. Still, as they were almost exclusively men of rank, a leaning towards the temporal sources of their greatness deforms their generally graceful spiritual walk. They are, at the same time, mortified and proud; they sleep on cinders and lord it over provinces; the lusts of the flesh are to them less than nothing; but to renounce "the pride of life," to forego privileges which the simple reverence of the good and the superstitious have conferred on these canonized models of every virtue, seems beyond the power of their saintship. Not less than twenty thousand slaves of the glebe and the work-shop will be found in the rent-roll of one of St. Martin's successors. St. Hilary of Arles

* The Norway devils spoke High-Dutch in Archbishop Magnus's time. The Ravens of Mithras and Odin were *Priests*—*υπηρετουντας κορακας*. Porphyry. de Abstin. iv. Pope Celestine suppressed an attempt to introduce the *black gown and girdle* among the Gallican clergy; and the following parallel cannot offend the Protestant reader: "Instituēbantur solennes commensationes (Offer-gills) in quibus heroum bello defunctorum paterne circumferebantur." "My master Columban is to-day delivered from the miseries of life: for his axer, therefore, I must offer the cup of salvation."

† Mamertin in Panegyrico.—Prosper's Chronicle. (Ann. 286 and 435.) *Baghdad* is also the O. F. *Bagarre*.

‡ The inscriptions of Lyons often notice the traders of Calais and Boulogne. One of them, in the *Lugdunum Priaticum* MS. of Bellevue, mentions Tauricius Florens, the "Allectōr" (*αλκτωρ*) or Protector of Aquitaine and Celtic Gaul, a native of Vannes, and the "Patronus" or Advocate of the mariners of the Loire and the Saône.

marches, at the head of an armed troop, to reduce his refractory suffragans; and we learn, from St. Ouen's life of his friend St. Eloi, that that fortunate episcopal goldsmith, independently of his diocese, was entrusted with the military government of six provinces!

Our attentive readers will have foreseen the natural effect of so fundamental a blunder. Kings discovered at last how feeble and how poor they were; that there was a time when the church was not the clergy alone; and that a corporation that never dies, and always gripes, must do mischief. Hulfar Ric, king of Soissons and Paris, whom historians call Chilperic, that is "the mighty helper," saw at once his ruin and that of the state, through the cold mist of "dim religious light;" for this bad man had received as liberal an education as the times afforded.† "Nous avons," says Montesquieu, "un discours de Chilpéric, petit-fils de Clovis, qui se plaignoit déjà que ses biens avoient été presque tous donnés aux églises. Notre fisc est devenu pauvre, disoit-il; nos richesses ont été transportées aux églises: il n'y a plus que les évêques qui règnent; ils sont dans la grandeur, et nous n'y sommes plus."‡ This is the reason why the mayors of the palace, who found the temporal lords too strong for them, had recourse to the "appropriation clause," and reduced the means of the more defenceless and easily plundered spiritual conservative peers.

Prætextatus, Bishop of Rouen, metropolitan therefore of the second Lyonnese province, soon quarrelled with Chilperic—a master not to be trifled with. This prelate is quite as valuable a study for the moral physiognomist as his princely successor, the gallant and aspiring Mauger, primate of Normandy. Still, his attentions to the frailer sex, however assiduous, arose from very different motives. The old clerk had no predisposition whatever for "chambering and wantonness." He only humoured the caprices of high-born dames to advance his own selfish plans of aggrandizement. So callous a heart as Prætextatus's never indulged, for an instant, those pleasurable emotions which St. Benedict and St. Scholastica, Bishop Liutard and the Empress Riccardia, the Norman dandy-prelate of Winchester and good queen Editha, might sometimes have experienced (in spite of hair-cloth and steel-belts) during their evening tête-à-tête, long and sweet, innocent confabulations.

Like all the descendants of the "sea-calf," Mero-Vee, Chilperic was a polygamist; for the Gallican church neither tolerated the polygamy à la Madden of Odin's worshippers, nor the more enlightened contrivances of the six Hessian doctors, and the consistory of Geneva, in the *Elector* and *Caraccioli* cases. What was still worse, he had *taxed* the Franks. Besides, he had taken it into his head to forbid the use of those unscriptural terms, *trinity* and *person*; nay, he had ventured so far out of his province as to annul wills made in the church's favour, and to tell the clergy his royal mind in terms too plain to be wise.

Here then were grounds enough for discontent. At this time, the harlot-queen Fredegunda was the most remarkable person in Neustria. This maid of honour had murdered two queens, her mistresses, ere she became the third. The second of these ladies, Galsuinda, daughter of an Arian king of Spain, was the eldest sister of the Catholic king Riccared, and of Brunichilda, the French queen of Austrasia. Brunehaut, as the latter is usually called, the widow of her uncle Sigebert, was a prisoner at Rouen under the charge of Merovee, Chilperic's eldest son, her nephew. She captivated the silly youth too readily. Prætextatus, whatever scruples he might have felt, tied the indissoluble knot between the nephew and the aunt; seduced, in his turn, the good citizens of Rouen; and, kissing the shadow of Queen Brunehaut's shoe-tie, illustrated the fifth commandment by arming the son against the father, after the fashion of Achitophel; and then, in the pious hope that the Spanish and Austrasian party would join once more against the harlot-queen of Neustria, turned traitor, in spite of his oath, and cried "God save King Meroveus!" But, alas! Fredegunda won the victory; Merovee's foolish head was shaved; and the blessed father, Prætextatus, was convicted, tried, and banished. In 575, ere one of the harlot-queen's assassins had stabbed King Sigebert, who had inherited Avranche, and probably these islands, the Neustrian lords had deserted Chilperic, and sworn allegiance to the Austrasian conqueror. Rouen had opened her gates; Soissons had surrendered; and Sigebert had been exalted, according to the Frank ceremonial, on the shield of royalty, in the heart of his brother's kingdom. But Fredegunda changed the scene by another family murder; the kingdom of Paris, and these isles, of course, again returned to Chilperic, and,

* Vita S. Eligii à beato Audoueno ejus contemporaneo: ad Decemb. 1.

† HULFAR. RICH potens, si interpres barbarus extet, Adjutor fortis, nobile nomen, habes! St. Fortunatus of Poitiers.

‡ Esprit des Loix: xxxi. 9.

poor Prætextatus having been condemned by his brethren the prelates, at the Council of Tours, for attempting a second insurrection, under the wing of widow Brunehaüt and her bridegroom and nephew, "the king dragged him from the presence of the bishops, and, at last," (when he had escaped from prison,) "relegated him, *after a severe beating*, to an island adjacent to the city of Coutance." * Lest the gentle modern should feel horrified at the idea of *whipping* a bishop, we beg to inform him that slaps, fisticuffs, and even kicks, were not unusual modes of salutation in ecclesiastical conferences of old; that, in the discipline of the cloister, "percussions" were deemed as essential for the preservation of good order as flogging still is in our army and navy; nay, that ladies themselves were not exempt from those wholesome applications of the abbess's rod, so that, among other miracles recorded in the epitaph of St. Theodota, the Italian Rosamunda, her total abstinence from this rough method of curing refractory nuns is noticed as the greatest—*ABSTINEBANT A FLAGELLIS PLACIDÆ MANUS*! †

THE PONTIFF'S DOOM; OR, THE CURSE OF ROS-AEL.

Acheronta movebo!

- | | |
|--|---|
| <p>1 Invious herbs I saw thee gather,
Muttering low thy secret spell,
Daughter of a nameless father,
Dread enchantress of Ros-Ael!</p> <p>2 'Tis a fretful, gusty morning;
Nearer, louder thunders roar;
Seas and skies are clothed in mourning;
Wreckers dip their hands in gore.</p> <p>3 To the sheltering gorse and heather
Cormorant and sea-mews fly;
Wild music floats in ether
Than when stalks and heroes die.</p> <p>4 Whither shall a guilty mortal
Flee from vengeance, scathed and scarred?
Hell is yawning; heaven's bright portal
Is on him for ever barred!</p> <p>5 Voices, near yon blood-stained altar,
Mingle, tremulous and hoarse,
Rhymes that shake the spheres, and alter
Wayward Fortune's wavering course.</p> <p>6 Hela's giant scythe is mowing
Sheaves of warriors, young and old,
Glorious tides of life are flowing
To Val-halla dark and cold.</p> <p>7 Fate's pale sister, awful Monna,
O'er death's cauldron breathes her vow;
Wreaths of purple bella-donna,
Hell-wood circlets grace her brow.</p> <p>8 Virgins nine, in whose recesses
Ocean's darling feeds on dreams,
Bathed in Lethé still carouses
Forms that shun morn's golden beams.</p> | <p>9 Brew no more foul hurricanoes!
Laugh no more, while sea-wives weep,
From Glen-Ennès to Sviatoi-Nos
Lull the roarings of the deep!</p> <p>10 Fiends that meet on snow-clad Brocken,
Summoned by the mystic drum,—
Frigga, Ragna, Locka, Nocken,
Auriné, Jetta, come!</p> <p>11 Plant him round with griefs and horrors,
While your pale-eyed votary sings!
Rack his brain with all your terrors!
Wound his heart with all your stings!</p> <p>12 Taunts and curses the pale sorceress,
Landward as the galleys flew,
From Ros-Ael's bluff, rocky fortress,
On Fredgunda's victim threw.</p> <p>13 Hail, fair France's blot and scandal!
Hail, thou smiling foe to peace!
Hail, thou mitred wolf, whose mantle
Is the lamb's enchanted fleece!</p> <p>14 Hail, thrice hail, faith's bright example!
Gaurei's portals open wide:
In its entrails, come and trample
Vain earth's empty pomp and pride!</p> <p>15 Spoiled of all, detested, banished,
Living tenant of a tomb!
Think not now—now—fenced with granite,
Psalm or prayer can mend thy doom!</p> <p>16 Ere, blest martyr! life's red fountain
Stain the blushing altar-stones,
Seven long years, yon vaulted mountain
Must re-echo to thy groans!</p> |
|--|---|

* Greg. Turon. Hist. † Romoaldo: *Papia Sacra*. Part i. p. 131. Muratori iv. 198.

‡ *Dud-Ael* of the Rabbinical legends; Norman Thor-Ketil.

§ *The Pallium*: see Durandus and Panvini.

1. *Ros-Ael*, now *Rosel*. Of all those abandoned insular sanctuaries of another race, perhaps the most interesting is a subterraneous retreat under the cromlech of ROS AEL, Jersey; a Celtic name, of which *le Tertre de la Roche*, or *le Couperon*, is an accurate French translation.

2. *Wreckers* and *Thugs*, now merely poetical embellishments of a heathen landscape, had once, even here, "a local habitation and a name," if we believe honest Jehan de Meung:

Tant orent ben à GERSAY
Devin que pas ne versay,
Aus meismes l'orent versé,

Tant que tuit jurent enverse:
DORMANS EYVRES LES ESTRANGLENT—
Jà ne seront mais tex qu'ils janglent.

7. *Hell-Weed*. It is the *Cuscuta Europæa*—a plant without either root or leaf, which hangs its threads and blossoms, vampyre-like, on the furze bushes of our south-western cliffs.

8. *Virgins nine*. The oracular witches of the island of *seven slumbers*, now *Sein* or *Crescent Island*, near Audierne.

9. *Ragna*: the Scandinavian *Yλγ*—hence the *Rag-Weed* of our haunted *meides* and *landes* (*ostratibus Mæque*.)

14. "*Balla de GAUREIO*," in a list of Norman bannerets before the conquest.

HISTORICAL NOTICES OF THE CHANNEL ISLANDS.—No. 9.

(Continued from page 228.)

ALTHOUGH Mr. Peter Carey had successfully refuted all the calumnies circulated by Messrs. De La Marche and Dobrée, and convinced the public of his innocence, yet, so refined and delicate was his sense of honour, that he determined to address a special letter to the new governor, Colonel Alban Coxe, who, not having a full knowledge of these local feuds, might still entertain some lingering doubts of the purity of his character. For this purpose, he drew up the following document, detailing his past services, and the exertions he had made to retain the island in allegiance to the parliament:

"May it please your Excellency, Being apprehensive that the false and calumnious imputations, contained in the articles of impeachment preferred against me by Henry De La Marche and Thomas Dobrée, might possibly leave some impression on the mind of your Excellency, injurious to my reputation, as your residence here has been too short to enable you to have collected all the facts, I deem it a duty that I owe to myself to address you on the subject, leaving Mr. De Beauvoir and Mr. Le Marchant, whose capacities are far superior to mine, to plead their own justifications.

"As to what regards myself, I pray your Excellency to cause inquiries to be made throughout the island, whether, since the commencement of the troubles in England, I have not, on all occasions, exerted myself to the utmost of my poor abilities in maintaining the authority of parliament, when I had the honour of being appointed one of the commissioners. It is known to every inhabitant what the commissioners have done and suffered, and the extremities to which they have been driven, under circumstances so perilous that they never occurred before or since. During that time, Thomas Dobrée, who had been appointed to the parliamentary commission, (whether from cowardice or avarice, or from both those motives combined,) never took any active share in public affairs, but quitted the country, when danger was most imminent, but from which God delivered us. As soon as our commission expired on the arrival of Governor Russell, Messrs. Des Granges, and De Havilland, and myself, were betrayed, and confined as prisoners in Castle Cornet for six weeks, where we were treated worse than the Turks treat poor Christians; and during the time of our captivity, so dispirited were the people, that had not Providence afforded us the means of escape, the island would have submitted to Sir Peter Osborne in another week.

"Shortly after our release, the island was in the greatest danger, as was proved by the deposition on oath of Captain Francis Mangier, who declared that, when at St. Malo, he had received intelligence that the royal fleet meditated a descent on Guernsey. In consequence of this information, I was deputed by the governor and the magistrates to proceed to the lords of parliament in London to acquaint them of the fact, and solicit assistance, which, with the blessing of God, I obtained so quickly, that I returned to the island with seven vessels of war in time to save it from the enemy. Since that time I have been employed, on two separate occasions, as a deputy to parliament on behalf of the affairs of Guernsey, and on my last mission, I was joined with Messrs. Des Granges and De Havilland. It was then that I was examined before the Committee of Complaints, and required to answer certain questions which arose out of an accusation preferred by Henry De La Marche against Governor Russell, to which I replied truly, according to my conscience, and I delivered the same evidence a second time before the parliamentary commissioners in this island. It has been brought forward as a stain on my character that, after having deposed against the integrity of Governor Russell, I still associated myself with him. On this point, I pray your Excellency to observe that, when Russell returned from England with the commission of governor of the island, Guernsey was menaced with serious danger, our enemies in Jersey having made four or five attempts to invade us. Under these circumstances, Mr. De Beauvoir and myself, judging that the public enemy would profit by any disunion among us, concluded that it was our duty to look only to the security of the island, and since it had pleased parliament to send over Governor Russell, we determined to co-operate with him in defending the island against the royal forces which, we expected every night, would attempt to land on the coast. This was the sole reason which induced us to make common cause with Governor Russell, for which, if I have done wrong, (and my conscience acquits me,) I am ready to submit to the censure of parliament.

"In conclusion, I beg to observe that I have always been faithful to the parliament, while those who accuse me of having neglected or violated my duty, have acted as mercenaries, talking much, but doing nothing. I have contributed to the defence of the island, out of my own pocket, upwards of Four Hundred Pounds sterling, which, however, I certainly expect to be reimbursed; but had I as much more money now at my command, I would not hesitate a moment in giving it for the public service, and the good of my country. I remain your Excellency's obedient servant, (signed,) Peter Carey. Addressed to Alban Cox, Esq., Governor of the island of Guernsey, dated 4th February, 1649."

Mr. Carey had not yet satisfied his scrupulous conscience. He wished to exonerate himself in all quarters, and particularly to stand blameless in the eyes of parliament. With this feeling he addressed the following letter to the celebrated Bradshaw, who presided at the trial of the unfortunate Charles the First:

"Right Honourable,—Your lordship's inclination to justice and equity emboldens me to make my humble address to your honour, most humbly to desire that those who, without cause, are my enemies, may not prevail with your lordship in their scandalous and injurious suggestions against me, humbly craving that your honour will vouchsafe me the benefit of your protection in my just defence, that my innocence may not suffer by their sinister representations, being very desirous that my actions, which, during these twenty years past, have been public, may be set open to your judgment, and the examination of your lordship, to whose approbation or censure I do most willingly submit. I feel certain that, having studied to approve my actions to God, in the discharge of the public offices to which I have been lawfully called, they will not be disavowed by just men. In reference to my services to the parliament in the preservation of this island to their obedience, I humbly crave from your lordship not to receive my own testimony, but to hear our honourable governor, Colonel Cox, and Mr. Des Granges; nay, my enemies themselves, if they will speak with impartiality. Let your lordship's goodness impute this intrusion to necessity, and not presumption, and be pleased to pardon your lordship's most humble and faithful servant, Peter Carey. Addressed to the Right Honourable John Bradshaw, Lord President of the Council of State, and dated February, 1649."

Mr. Carey also obtained the following certificate, showing that he had disbursed certain sums of money from his private funds to support the credit of parliament:

"We the undersigned, formerly governor of Guernsey, and two of the commissioners appointed by parliament to regulate the affairs of that island, do acknowledge that Mr. Peter Carey and Mr. Du Manoir have paid for our accommodation and use, and for that of our officers and servants, before and during the time of the surcease of the public revenue of that island, the sum of nine hundred and ninety-one livres, eighteen sols, and six deniers tournois, which sum we do assign them, and desire that they be paid out of the public revenue. Given under our hand this first day of January, 1649. Signed, Robert Russell, John March, and James Santhey.—Compared with the original by me, Joshua Mancell, Notary Public."

Mr. Carey next determined to apply for compensation for the advances he had made, and for the loss of time he had incurred in the discharge of his numerous public duties. With this object in view, he addressed the following letter to the "worshipful Mr. Wall and Mr. Roger Frith," two of the honourable commissioners of the parliament for the affairs of Guernsey:

"Gentlemen,—I do humbly beseech your worships to take notice, and favour me so much as to represent to the parliament that I was one of the deputies of this town, joined in commission with Mr. Peter De Beauvoir and Mr. De Haviland, who procured, at our own charges, the act of parliament by virtue of which you have been invested with the authority of commissioners; and that I have acted in the affairs of this island, having waited upon the parliament in the procuration of the said act, (with the other two gentlemen,) during the space of eight months, when I incurred great expense, and received much personal injury by the interruption of my private affairs. Therefore, I humbly beseech your worships that, through your mediation, I may, (according to the tenour of the said act,) be defrayed of the great charges which I have been at, leaving it to their honours to judge of them, and to make me such allowance as, in their wisdom, they may

think fit. Humbly requesting you to pardon my boldness, and to command my humble services on all occasions, I remain your humble servant, Peter Carey. February 7th, 1649."

"P.S.—I have addressed a copy of this letter to M. March and M. Santhey, Esqrs., two of the commissioners."

At this period of our insular annals, the inhabitants appear to have been apprehensive lest the British Government should invade any of our local privileges guaranteed by royal charters, and particularly such as related to the free use of their mercantile licences. To guard against this danger the Royal Court assembled, and passed the following ordinance:

"At the Chief Pleas held after Easter, in the year 1649, on a representation made by several inhabitants of the town to the Royal Court, praying them to have recourse to the most efficacious measures to preserve and maintain the rights, immunities, liberties, and privileges of the island, the court, adopting these views, and for the purpose of carrying them into effect, have nominated and authorized Mr. Peter Carey, lieutenant-bailiff, to write, in their names, to the president of the council of state, and to make known to him their humble request, and the wishes of the inhabitants generally, in reference to the maintenance of our privileges and liberties."

Mr. Carey, with his accustomed promptitude, lost no time in discharging the trust confided to him, and on the 24th April, 1649, he addressed the following letter to the Honourable John Bradshaw, president of the council:

"I have been charged by the magistrates of this island, at the earnest suit of some of the people, to represent unto your lordship that, as we and our ancestors before us, have been without the least spot or blemish, loyal and faithful to the parliament of England, so we humbly crave that, by your lordships mediation, we may be maintained in the fruition and enjoyment of our privileges and liberties, which are as dear to us as our lives, and, in all respects, consonant and agreeable to that obedience and duty which we owe to the commonwealth of Guernsey. We, further, humbly desire your lordship that the licenses for transportation of provisions for the use of the island, as wool, leather, &c., may be accepted at the custom house, as they have formerly and hitherto been. The premises being the earnest request, not of some individuals only, but, I may truly say, of the generality of the island, with all humility I take leave to recommend the same to your lordship's favour, and, craving pardon for this intrusion, I remain your lordship's obedient servant, Peter Carey, lieutenant to the esquire bailiff of Guernsey."

At this time, Colonel Coxe, the governor, and M. De Beauvoir, the bailiff, of Guernsey, were both in London, and the indefatigable Mr. Carey, whose sleepless vigilance never relaxed for an instant, wrote the following letter to the former, which is in the nature of a report on the actual state of the island:

"The contentment which we did receive by your presence amongst us, renders your absence more sensibly felt, which would be greater, had you not left with us that worthy gentleman, your lieutenant and faithful captain, whose wisdom and laudable courage I can but acknowledge with high praise. Our condition, at the present, is somewhat more tranquil and quiet than it was before the departure of Henry De La Marche; if the other turbulent spirits, whom you well know, were with him, I believe factions would not be so frequent, and the distempers of this island much settled. I leave the management of that business to your wisdom. I am very sensible of the abuse of your authority by the royalists, the particulars of which I have understood from your lieutenant. As my principles are decidedly against tyranny, so are they no less against the contempt of just authority, where it is conferred by lawful magistrates. I am certain your honour is better informed of the particular facts, than I can relate them, and your foresight is such, that I doubt not but you will apply remedies adapted to the disease, for the disposition I have remarked in your honour entitles you to more than a titular or nominal tenure of government. I hope your honour will be without competitors."

"I humbly beseech your honour that my innocence may not suffer by the false imputations of my adversaries, and that you will be pleased to represent things according to your own observation. Your honour has been informed of the conduct of Captain Green. You very well know what prejudice such incursions would cause to this poor island. I do humbly entreat you that some order be taken, that they be prevented for the future. Your honour will also be pleased to remember the pay of the soldiers, that the poor island may not be burthened."

"I will entreat your honour of one request more, and that very earnestly, to wit, that you will be pleased to vouchsafe your assistance to our bailiff in his just defence against his inveterate and venomous enemies, who appear from day to day to entertain hostility also against yourself. Mr. Le Marchant, M. De Blanchelande, and my son-in-law Du Manoir, present their humble services to your honour. I do most heartily the same, and altogether earnestly pray for your happy and speedy return to us. Your honour will be pleased to pardon this intrusion, and excuse the incongruities of expression of your most humble and obedient servant, Peter Carey.
(*To be continued.*)

VARIORUM ADDENDA TO THE HISTORICAL NOTICES.

No. 4.

At the court at Whitehall, 10th May, 1676. An order in council, dated as above, was obtained on the complaint and petition of Joshua Payn of the island of Jersey, as well on behalf of himself, as of others, His Majesty's subjects of that island, setting forth that for several hundred years the inhabitants and merchants as well of the said island, as of Guernsey, had always from time to time (in conformity with their ancient charters, privileges, and immunities granted unto them) been freed and exempted in all ports and places of His Majesty's kingdom of England and dominion of Wales, from paying their custom, excise, or other duties and impositions, for and in respect of any of the goods and merchandizes of the growth and manufacture of the said islands.

"Payn had imported into England by certificate (as was usual) fifty tuns of cyder of the growth of Jersey, which the commissioners of customs had passed free, but the excise had caused the same to be seized upon pretence that there was due unto them, as foreign cyder, four pounds ten shillings per tun for excise. Payn's petition was by His Majesty in council referred to the Lord High Treasurer of England, who referred the examination of the matter to His Majesty's Attorney General, whose opinion was that the excise should stand to such order, as should be made by His Majesty in council. Accordingly, the said cause and matter in dispute between the excise and the said Joshua Payn, and others of the inhabitants of the said islands, was heard at the board by the council. His Majesty thereupon declared, that the inhabitants of his islands of Guernsey and Jersey and islands thereto belonging, *being no foreigners*, ought to be as free from paying excise for cyder and perry of the growth of those islands, imported into England or Wales, as the inhabitants of other His Majesty's British islands are or have been for goods or merchandizes of their growth and manufacture imported by them into England or Wales. And, therefore, His Majesty, by advice of his privy council, does order, and it is hereby ordered, that henceforward his subjects, inhabitants and merchants, of the islands of Jersey and Guernsey, Serk, and Alderney, are and shall be free to import and bring into England and Wales, cyder and perry of the growth and making of any of those islands, freed and exempted from all duties either of custom, excise, or other impositions, which are due and payable to his Majesty for foreign liquors and merchandizes of the growth and manufacture of foreign parts."

Guernsey Court of Admiralty independent of the English High Court of Admiralty.—The two following cases are precedents to establish this prerogative.—On Monday, the 4th of July, 1608, before William Le Marchant, Lieutenant of Amice de Carteret, Bailiff, Andrew Henry, John Andros, Nicolas Martin, George Guille, Leonard Blondel, Peter Brehant, and Thomas De Lisle, Jurats.—According to the resolution determined upon last Saturday, that the Court should assemble for the purpose of giving an answer to Michael Crooke, an English merchant, the bearer of an order from the High Court of Admiralty in England, and from the Lords of the Privy Council, commanding the surrender of a vessel found anchored near to the island of Serk and abandoned by the crew, which vessel was brought into Guernsey with its cargo, and other appurtenances; the Court, after having read and taken into mature consideration the said order, have resolved that they cannot, consistently with the privileges of the island, obey it, or cause it to be carried into execution, without, however, intending the least disrespect to their lordships, whether of the admiralty and the privy council, to whom they will

always render due obedience on any order or commission which does not militate against the rules of judicial procedure sanctioned by the customs and privileges of the island.

On the 8th of July, 1608, before William Le Marchant, Lieutenant of Amice de Carteret, Bailiff, Andrew Henry, John Andros, Nicolas Martin, Leonard Blondel, Peter Brehaut, and Thomas De Lisle, Jurats; appeared Peter Bennet, a merchant residing in the city of London, who, as one of the commissioners named in a certain commission, obtained from the High Court of Admiralty in England an order dated the 13th of June last, and which order commands that it be executed; the court rejects the demand of the said Bennet, contained in the said order, because it is in opposition to the privileges from time to time conceded by His Majesty and his noble predecessors to the Bailiff and Jurats and the inhabitants of the island of Guernsey.

Court of Admiralty, 16th July, 1660.—After our hearty commendations, "Whereas it appears unto us by a petition of Robert Cumming and James Rer, merchants of the city of Glasgow, in the kingdom of Scotland, that two ships belonging unto them, on their return from Bordeaux, were taken by one Morgan Jones, having a Swedish commission, and that the masters were constrained to rebuy their ships and cargoes, selling in the island of Guernsey goods to the amount of one thousand pounds for that purpose. Afterwards, the said masters finding the said Jones in Guernsey, arrested his frigate, and a lawful prize which he had also taken, for reparation of their losses. And the petitioners applying here for justice, the then commissioners of the Admiralty and Navy would not determine thereon until the frigate and prize were arrested by them, for doing whereof the said commissioners issued an order, which the petitioners allege you would not obey, *pleading your privilege of immediate dependence on his Majesty and his Council.* All which having been taken into our consideration, we cannot blame you for insisting upon *your right*, and preserving your ancient privileges and laws, which we do not intend to infringe; yet this being an extra order in this case, and concluded to be most proper for the cognizance and determination of the Court of Admiralty, to whom we have referred the same, we do, therefore, advertise you thereof, and do hereby require you to obey and execute all such orders, warrants, decrees, and judgments, as the Judge of the High Court of Admiralty shall, from time to time, make, give, and set forth in this particular case, touching the arrest of the said frigate and prize, so that the sentence of that court may be of force and effect to both parties, and such speedy determination may be given thereon, as shall be found agreeable to equity and justice. And so we bid you heartily farewell, from the court of Whitehall, this 16th day of July, 1660. Your loving friends, Ormond, Edward Hyde, Manchester, Southampton, Albemarle, G. Carteret, Arthur Annesley, William Morice, Antony Ashley Cooper. Addressed to the Bailiff and Jurats of Guernsey."

Recusation of the Bailiff or Lieutenant-Bailiff.—Upon reading this day at the Board the report of the Right Honorable the Lords of the Committee for the affairs of Guernsey and Jersey, dated the 19th of July, 1706, upon such matters in difference between the Lieutenant-Bailiff and Jurats of the island of Guernsey; Her Majesty, with the advice of her Privy Council, is pleased to declare and order, as it is hereby declared and ordered:

"That when the Bailiff or his Lieutenant shall be recused, he has no right to remain present in court during the cause in which he is recused, nor to administer an oath in the said cause. That, without the consent of the parties, the majority of the Jurats do not refer the cause to arbitration; and, in no case, to delegate to arbitrators the power of administering an oath, notwithstanding the parties should consent thereto. That, according to her Majesty's former order of the 10th June, 1703, all sales of lands made, with a reservation of rent, ought to be passed before the Bailiff and his Lieutenant. And the Lieutenant-Bailiff and Jurats of the Royal Court of that island are to take notice of this her Majesty's pleasure, and govern themselves accordingly. Signed, William Blathwayt. Dated, from the Court at Windsor, 15th July, 1706."

Bishop of Coutances.—On the 26th day of October, 1565, before Thomas Compton, Bailiff of the island of Guernsey, Nicolas De La Court, Thomas Effart, James Guille, John Blondel, William Beauvoir, Nicolas De Saumarez, Nicolas Martin, and Thomas Le Marchant, Jurats of the Royal Court of our sovereign lady Eliza-

trith, by the grace of God, Queen of England, France, and Ireland, Defender of the Faith, &c.

Personally appeared Marcus Le Gresle, calling himself attorney to the Bishop of Coutances, plaintiff, on the one part; and John After, adjourned at the suit of the plaintiff, and calling himself dean of Guernsey, and curate of the parishes of St. Martin and St. Peter-in-the-Wood, defendant, on the other part. The plaintiff demanded payment from the defendant of certain ecclesiastical arrears belonging to the said Bishop, as well those which were due on the Deanery as on the two curacies, which the said defendant unlawfully held in Guernsey, he having no commission or authority from the Bishop of Coutances, for which reason the plaintiff contended that the defendant had no legal title either to the deanery or the curacies. To which the defendant replied, that he was the subject of her majesty the Queen of England, and that he had sworn to renounce the Pope and all foreign jurisdiction in obedience to her royal laws and ordinances, and thereupon was appointed Dean of Guernsey and curate of the parishes of St. Martin and St. Peter-in-the-Wood by episcopal induction, according to the laws, touching such matters, enacted. To which the plaintiff replied, that the argument of the defendant was totally worthless, and prayed the Governor, who was present, to seize the deanery and curacies for, and in the name of, the Bishop of Coutances, unless the defendant produced forthwith his commission, which he instantly did, and then observed that he would recognize the Bishop of Coutances as his diocesan, provided the plaintiff, as his attorney, would, in the name of the Bishop, take the oath of allegiance to her Majesty, as other Bishops, her subjects, had done, in the form and manner required by law, to wit, to renounce the Pope, according to the ecclesiastical laws of England, or according to the laws of the reformed churches within the diocese of Coutances. The plaintiff replied, that there was no reformed church within the diocese of Coutances, but that they all adhered to the church of Rome; on which the defendant said that, according to his oath and duty, he had renounced all foreign jurisdiction, and that he would answer the plaintiff, if he chose, before the Queen and her Majesty's noble council, to which he might appeal, if he thought proper. Here the matter, of course, terminated.

Ancient Inundation of the Sea.—At the Chief Pleas of St. Michel, held at St. Anne, in the parish of the Great Sarrassin,* by Nicolas de Beauvoir, Bailiff; present, John Le Gros, James Le Marchant, Peter De La Lande, Robert De La Salle, Colin Henry, Raoulf Emmery, Gaultier Blondel, and Guillot Lefevre, Jurats of the Court of our Lord the King of England in the island of Guernsey, the 4th day of the month of October, 1204.—On the remonstrance which has this day been submitted to us on the part of the holy brother, John Agnenort, prior of the Vale, in the parish of St. Michael the Archangel, and his co-remonstrants, Peter de Beauvoir, Peter Martin, John Effart, John Jehan, Peter Nicolle du Pré, John Agnenort, Michael Le Pelley, John Capelle, and others dwelling in, or frequenting, the parishes of the Vale and St. Sampson, which remonstrance states that they have been greatly impeded and damnified by the incursions of the sea, which has swept away and destroyed the convenient passage which existed between the said parishes, so that it is impossible to continue religious processions, or traffic one with the other, and impracticable to go to the parish of the Grand Sarrassin; and the remonstrants inquire if we are willing officially to grant permission to cause a certain bridge to be constructed and kept in good order leading from the Vale to St. Sampson's. We cannot refuse this reasonable petition of the inhabitants, which is for the good of the public, and have therefore appointed a "Vue de Justice" on the spot, where the boundary between the two parishes is best ascertained; to be held on the day of St. Bartholomew. And the common people are to be advertised of this our intention, that they may attend, and hear from us what we may ordain, touching the building of the bridge. Extracted from the copy of the rolls. (Signed) Colin De La Lande.

* The traditionary history of the island states that, in ancient times, a formidable freebooter held an encampment or strong hold on the spot now occupied by the Côtel church. On his defeat and expulsion, the grateful piety of the inhabitants built the church, and dedicated it to St. Mary de Castro, or St. Mary of the Camp. By one of those corruptions of language so frequent in all countries, this part of the island is now called the "Côtel" parish, an unintelligible perversion of "Castro," which really means a "Camp."

ORDERS IN COUNCIL IN THE REIGN OF QUEEN ELIZABETH.—No. 4.

The following order in council was passed at Westminster on the 22nd of June, 1565, but it does not appear to have been registered at the Greffe before the 12th of May, 1767.

"Whereas heretofore for a good time past, humble suit was made to the Lords on behalf of the inhabitants of the islands of Guernsey and Jersey, who found themselves much aggrieved that divers of the islanders were called to answer here by process awarded against them out of sundry of the queen's courts of record here, and that, after judgment given in the islands, appeals have been made hither to the said courts of the queen, to the great trouble and vexation of the said islanders, of which they humbly desired their lordships to have redress and reformation.

"Their lordships thought proper, for the better understanding of that which might be deemed requisite to be ordered in this matter touching the local law and charters, to have the advice of her Majesty's attorney general and of two of the lords Chief Justices, and they also prayed Sir Hugh Powlett, knight, captain of the island of Jersey, to signify his mind touching the same, all whose opinions, being this day returned to their lordships in writing, which remain in the council chest, their lordships, according to this advice, thought good to order, that henceforward all suits now commenced, or which may hereafter be commenced between any subjects of those islands, shall be heard, ordered, and adjudged in the said islands, and not within this realm; and the like order their lordships determined should be kept in suits between two parties, whereof the one is resident here in England, and the other in the said islands; and further, their lordships resolved that no appeals should be made from any sentence or judgment given in the said islands, but only according to the words of their charters, *au roi et son conseil*, which agrees as Sir Hugh Powlett alledges, with such orders and forms as have, heretofore, been accustomed, which determination their lordships commanded should be entered on the registry of the council, and a transcript made thereof, to be subscribed by one of the clerks of the council, and delivered to the parties now complaining.

"And it is further ordered that warning be given to the chief officers of the courts at Westminster, and especially to the chancery, and the court of request, that they may give orders that no process be henceforth awarded out of the said courts against any of the officers or inhabitants of the said islands, whereby they or any of them might be troubled contrary to this order and resolution.—A true copy from the council register. (Signed) William Sharpe.—Examined with the original by Samuel Bonamy, Bailiff, and John Guille of St. George, and Richard De Beauvoir, Jurats of Guernsey.

COMMERCE OF JERSEY.—No. 5.

By far the most important and beneficial branch of the commerce of Jersey, are the fisheries on the coasts of British North America. That branch is not only valuable from the direct industry which it promotes, the capital which it employs, and the number of persons who are engaged at the fishery, but it is the root of other indirect industry, and the means of supporting many families. Without her cod fishery the commerce of Jersey would dwindle away, and without the free trade which we enjoy, it would be entirely destroyed. On this latter point, I may probably enlarge in some future number; and I shall now make a few observations on our old, our valuable cod fishery at Newfoundland and the neighbouring coasts, glancing, however, at another kind of fishery which preceded it. The extent of the commerce of Jersey, which will be presently more plainly seen, must appear I think very great for so small and apparently unimportant an island as ours; so true is it, as was remarked by the French political economist Say, that "*l'industrie d'une nation n'est pas bornée par l'étendue de son territoire, mais bien par celle de ses capitaux.*"

It would appear that Jersey men have at all times had a predilection for

the occupation of fishing, for that has, from an early period, formed an essential part of their industry. The fishery of conger eels along our coasts, and the salting of them for exportation, seems to have been the first, or among the first, commercial operations of the natives of Jersey; and indeed so important was this considered upwards of six centuries ago, that the twentieth article of King John's charter to the islands is on that subject. — "*Eodem tempore salicio congrorum constituta fuit inter Festum Sancti Michaelis et Paschæ, quam Ballivi Domini Regis posuerunt ad firmam sicut expiscationem. Et salicio primo facta fuit et constituta pro piscatoribus, qui piscem detulerunt inimicis Domini Regis.*" This source of industry was also participated by our sister island of Guernsey. The crown levied a duty on the salt congers and mackerel, called *esperkeria*. The revenue thus derived from the exportation of congers, amounted in the reigns of Edward the First and Second, while Otho de Grandison was governor of these islands, to four hundred livres tournois per annum, at the rate of one penny tournois for every conger above ten pounds weight so salted and exported. This partly shews the extent of the fishery; for it would appear, from the amount of duty paid, that the number of congers exported annually was eight thousand; which, reckoning at twenty pounds each would give a weight of eighty tons. In the extent, or the king's rent roll, of 1391, for Guernsey, in which a good account of the *esperkeria* will be found, we learn that the duty on all the fish of the islands (i. e. Guernsey and its neighbouring isles) produced 266 livres 13 sous and 4 deniers. The congers which could be spanned round by the hand were not liable to any duty, nor that portion, whether of large or small fish, required for the diet of the fishermen. The duty on mackerel was two deniers tournois for every hundred caught between Easter and Michaelmas; and on fish generally, two sous tournois for every bushel exported to Normandy, or elsewhere out of the kingdom of England; and for every salt conger, two deniers and an obole tournois. At the present time, a great abundance of congers is yet caught; and from their numbers, the sea about the islands might still, according to the odd notion of the historian Falle, be called "The kingdom of congers." The exportation has for a long period ceased; but congers, some of which weigh from thirty to forty pounds, are still salted by the natives, especially in some of the country parishes, for winter use, and many are sold at the market. It is perhaps owing to prejudice that many English residents object even to taste them, from their alledged resemblance to serpents.

How long the conger fishery may have continued as a branch of commerce is not known, but it was probably replaced or succeeded by our Newfoundland cod fishery, the commencement of which was at the beginning of the seventeenth century; and it may very reasonably be conjectured that this island is indebted for the first Jersey formation of it, to Sir Walter Raleigh, who was governor of Jersey from the year 1600 to 1603, and who resided here during some portion at least of that period, and this conjecture is rendered still more probable from the high opinion which he entertained of the Dutch European fishery, as a source of wealth to that country. In 1603, that learned but unfortunate commander, laid a small essay in manuscript before King James, entitled "Observations concerning the trade and commerce of England with the Dutch and other foreign nations," in which, among other points, he laboured to shew the great advantages which that nation derived from "their prodigious fishery, of which they make such vast returns yearly." The fishery was a favourite subject of his, and he was very desirous of stirring up his countrymen to emulate the Dutch, both in their industry, the encouragements which they afforded to commerce, and their liberality towards strangers.

In the report of the royal commissioners, Conway and Bird, in 1617, we find the intercourse of this island with Newfoundland casually mentioned, for the governor is charged with having embezzled one hundred and thirty pounds of the "King's munition of powder at two severall tymes for the use of a shipp, in which he adventured to Newfoundland." At the latter part of

the reign of Charles the First, the Jersey shipping employed in the Newfoundland trade used to winter at St. Malo, on account of the convenience of the harbour. That trade declined in the reign of James the Second; which was owing, according to the opinion of Mr. Dumaresq, who wrote at that period, to the competition of the French, who were able to navigate their ships at a cheaper rate than we ours, and to the levying of a duty of a crown per quintal in France upon English fishery brought in there; so that the number of Jersey vessels employed in that trade declined from twenty to three or four. Several causes contributed to this decline, among which I think must be added the war which followed the revolution of 1688, for Falle, in the first edition of his "Account of Jersey," published in 1694, complained that "the neighbourhood of St. Malo, that famous retreat of French corsaires, has received our navigation." After the conclusion of the war, our "prime trade" to Newfoundland revived, so that in the year 1731, Falle states there went out seventeen vessels with 1500 men, and in the year 1732, twenty seven vessels. From that time till the French revolution, says the Rev. Ewdard Durell in his valuable notes to the new edition of Falle's history, was the most prosperous period of the Jersey Newfoundland fishery, but the island had then comparatively but little other trade. Owing to the want of official tables of the entries and sailings of vessels, (for the custom-house was not established in Jersey before 1801,) or indeed of any tables, it is difficult to acquire and convey so particular and precise information on the commerce of the past, as can be done of the present day; we are therefore under a necessity of gleaning a little knowledge on the subject from the scanty passages in which the commerce of Jersey is incidentally noticed, and this does not afford so sure a ground as we could satisfactorily desire. Shebbeare, who published his work on Jersey, in the year 1771, states that about forty-five Jersey ships were annually employed in the Newfoundland fishery; and I find in an old magazine, the account of the sailings from this island in the year 1785 for Newfoundland, by which it appears the number was twenty-nine vessels, with crews of four hundred and eleven men, and carrying besides three hundred and thirty-eight passengers, being a total of seven hundred and forty-nine men. The tonnage is not mentioned. From this statement we might infer that the size of the vessels was large, from the average crew to each vessel being fourteen men, but the number of each crew was proportionally larger than is now required or employed to navigate vessels; for I find that a vessel of forty tons had a crew of ten men; one of a hundred tons had fourteen men; and one of two hundred tons had a crew of thirty men.

At the present time a large capital, a great number of vessels, and many persons are engaged in the fisheries; and I cannot, though with due deference, agree with Mr. Durell's opinion, that "the island after so many years of peace has barely kept up the trade to its former standard." The ships which are employed in that trade are superior both in number, in build, and in size to those of bye gone days; the number of Jersey establishments and fishing stations has of late years increased, and the tonnage of the vessels now employed directly in the Newfoundland trade is nearly one third greater than the tonnage of the total of Jersey shipping in 1812. The following is a statement which I have prepared of the number of Jersey fishing establishments in British North America, and the number of vessels, with their tonnage, which they employ; and which I think will be found to be tolerably correct. It varies a little from that given by Montgomery Martin in his work on the colonies of Great Britain; but probably the difference may arise from his having included the shallows which are also engaged, in addition to the shipping which is registered at Jersey, which alone I have included in my account, and from some of the vessels which I have noted as employed at Gaspé and Bay Chaleur occasionally taking in cargoes at Arichat, which he includes in Cape Breton.

On the coast of	No. of establishments or fishing stations.	Vessels.	Tons.
Gaspé and Bay Chaleur, (Lower Canada).....	11.....	31.....	3699'
Labrador.....	6.....	14.....	1343
Newfoundland.....	2.....	23.....	1901
Arichat.....	3.....	6.....	654
	22	74	7597

The number of persons who are employed at the Jersey fishing establishments, both as sailors, fishermen and landsmen, is stated to be as follows from information obtained from authentic documents.

On the coast of the gulf of St. Lawrence.....	517	Jersey men..	950	natives.
New Brunswick.....	25	„	110	„
Cape Breton.....	180	„	660	„
Labrador.....	298	„	160	„
Newfoundland.....	255	„	800	„
	1275		2680	

Thus employing 3955 persons.

All the Jersey men employed there are not seamen; many are fishermen, who well understand the managing of a boat, but who are quite ignorant of that of a ship. The greater number of these fishermen return to Jersey in the autumn, and go out again in the spring; some remain on the fishing rooms. Mc Gregor, in his "British America," states that "one third of the resident inhabitants of Labrador are English, Irish, or Jersey servants, left in charge of the property in the fishing rooms, and who also employ themselves in the spring and fall, catching seals in nets. The other two thirds live constantly at Labrador, as furriers and seal catchers, on their own account, but chiefly in the former capacity, during winter; and are all engaged in the fisheries, during summer. Half of these people are Jersey men or Canadians, most of whom have families." Most of the men who go over from Jersey in the beginning of the year, to be employed either as landsmen or fishermen, have small farms at home, which, during their absence, are taken care of by their wives and families. They return at the latter end of the year, from September to December, in full time to perform some of the most laborious and necessary occupations on their land, such as the digging up of their potatoes, ploughing, and the sowing of wheat. While they are absent, their wives and families are not idle; industry is too dearly prized, and, in addition to their agricultural labours, they knit lamb-skin stockings, mittens, and jackets for them, a great portion of which these fishermen sell previously to their return home, at a profit. The same round of industry by the men prevailed even so early as the time of James the Second, for it was then noticed by Mr. Dumaresq. This trade is of vast benefit to the agricultural portion of our community; it gives employment to that number of its population, which may be viewed as a surplus above what are absolutely required for the cultivation of the land, by drawing several to the establishments at North America; by employing several as seamen, and by supplying industry at home. There was a period when a want of employment, from the limited commerce of the island, was much felt, and there is an act of the States of the 25th September, 1666, for the relief of the poor, in which it was recommended to compel some of them, if necessary, to emigrate to the colonies (West Indies,) to Ireland, or to New England.

A more correct notion, though not a complete one, of the home industry to which this invaluable branch of our commerce gives rise, will be entertained by the following statement of our principal exports to British North America during three years, which I have drawn up from the quarterly accounts of our custom-house, through the kind permission of the officers: and I must premise that a distinction is made between our exports to Great Britain and to the colonies. To the former we can export duty free only the produce and manufactures of the island; to the latter, the produce or

manufactures. This difference is very essential; for, while we cannot, in the former case, manufacture a commodity from foreign articles for a free importation into England, we can in the latter, which enables us to support our establishments with more facility, by supplying them with flour and biscuit made here from foreign wheat and with other articles, at a cheaper rate than we otherwise could: but it must also be mentioned, that all articles for the use of the fisheries can be imported there duty free. The exports from Jersey were, in—

Years.	Potatoes.	Flour.	Biscuit.	Pork.	British Salt.	Foreign Salt.	Bricks.
1833..	752 tons	196 tons	257 tons	760 barls	447 tons	420 tons	70,900 tales.
1834..	586 „	178 „	273 „	928 „	1318 „	288 „	21,500 „
1835..	325 „	312 „	237 „	— „	395 „	722 „	30,450 „

Years.	Cider.	Boots.	Shoes.	Sail-cloth.	Ready-made Sails.	Cottons.
1833..	6762 gallons	1013 pair	12271 pair	7531 yards	4493 yards	19353 yards.
1834..	2155 „	831 „	11309 „	7829 „	4913 „	17026 „
1835..	8400 „	705 „	10598 „	8963 „	6552 „	16589 „

Years.	COTTON.							CLOTH.			WOOLLEN.						LINEN.		
	Shirts.	Hose.	Handkerchiefs.	Shawls.	Counterpanes.	Frocks.	Trowsers.	Trowsers.	Jackets.	Clothing.	Caps.	Shirts.	Jackets.	Waistcoats.	Trowsers.	Drawers.	Yards.	Trowsers.	Frocks.
1833	3916	108	517	172	153	240	18	95	44	301	84	708	483	50	530	1126	3184	552	125
1834	2361	2156	9543	130	48	—	—	36	—	17	166	682	341	108	471	1093	3401	264	74
1835	1788	—	1063	128	79	36	—	6	36	58	160	516	331	112	626	917	1808	528	48

Years.	WORSTED.				WOOLLEN.		STUFFS
	Waistcoats.	Cravats.	Hose.	Mitts and Gloves.	Yards.	Yards.	
1833	94	56	1066	1121	15399	665	
1834	281	156	608	933	9098	2258	
1835	285	—	654	690	11060	430	

The value of these goods is not entered at the custom-house; but an approximate estimation of some of these will shew a tolerably large amount. Let us, for instance, state the probable value of some of the exports in 1835,

Potatoes.....	£490
Flour.....	3000
Biscuit.....	2000
Cider.....	80
Boots.....	630
Shoes.....	2120

The making of the flour barrels gives employment to our coopers. This branch of industry has of late years much increased; for, besides the flour barrels, are the tubs required for the packing of codfish for Brazil; and I am pretty near the mark when I add that, during the past year, £4000 have been paid there for tubs and barrels. The boots and shoes are principally made in the country, the industry of whose population is not fed by agriculture alone.

The preparing of the other articles also, and of the wearing apparel, gives employment to several persons, and to many during the winter evenings, in addition to their usual daily occupations. Most of these goods are sold to the fishermen resident at British North America, and go towards paying

their wages, or the price of the fish which they catch. Old established houses have a greater influence, and can usually purchase their fish at a cheaper rate, owing to the adopted system of selling the goods there imported. These are usually sold at a price leaving a large profit, but they are not perhaps ever entirely paid for at that price; but the seller, by keeping many persons indebted to him, has an advantage over others in the purchase of the fish caught and brought to market by those buyers. I have not noticed all the exports from this island to the fishing stations, but only the principal; and I may add that, in 1836, much more was exported than in previous years, and that this year the exports are likely to be larger still. This trade of ours is also beneficial to England, for most of the articles exported are of British manufacture; and, if the amount of these were estimated, it would be much larger than the value which is here given to some, by the converting of them into wearing apparel. In commerce, there is never one party alone benefitted, but all who participate in it, whether directly or indirectly, share in its advantages.

The vessels for the fishery prepare for the voyage in March and April; and some sail at the latter end of the former month, but many more during the latter. At the present time, while I am engaged in writing this article, several vessels are in our harbour, taking in goods for British North America; and to those fond of beholding activity, bustle, and industry, a walk on our pier would be a pleasing one. There are the cargoes to be taken in, and the luggage of the many passengers; and when one of these vessels leaves the harbour, many an anxious breast of a tender wife and a young family may well wish, in the language of Cowper, that "Heaven speed that canvas gallantly unfurled."

When arrived at the fishing stations, a division of labour takes place, whereby much more work is done, and better done. Some men are employed solely in the catching of the codfish, and in bringing it ashore; others in the carrying it to the spot where one person is employed in cutting off the heads, and another in ripping and gutting them, and some in salting the fish. Others are engaged in the transporting of it to be dried, and, at the least symptom of dampness in the atmosphere, in storing it. All the codfish which is caught is not suited for the same market. From the more northerly situation of Labrador, the climate is not so fine,—there is not so much sunshine as at Gaspé,—the fish therefore is not usually so well dried; it is more soft and damp. It is well adapted for the Spanish markets, where it is generally sent. The fish at Newfoundland is thick and more approaches the quality of that of Gaspé, which is thinner, well dried, and hard. It is this kind of fish which is required for the Brazil markets, the consumption in which of codfish is annually increasing. At the close of the fishery, many vessels proceed with their cargoes to the Mediterranean and Spanish markets, some to Brazil, and others return to Jersey. The following statement will exhibit the principal imports from British North America, into this island:

Years.	Codfish, (dry.)	Codfish, (green.)	Fish Oil.
1829.....	29660 qtls.....	1175 qtls.....	35380 galls.
1830.....	20354 „	659 „	60753 „
1831.....	14117 „	396 „	56136 „
1832.....	26652 „	632 „	38632 „
1833.....	23212 „	648 „	55546 „
1834.....	20609 „	275 „	52411 „
1835.....	28558 „	— „	73738 „

The importation of codfish, during the last season,—since last September,—is much larger than had ever taken place, which was occasioned by the larger demand here, than heretofore, for Brazil.—It was as follows:

In September.....	3 vessels.....	11350 quintals.
In October.....	8 do.	12400 „
In November.....	10 do.	20800 „
In Decem. and Jan... 8	do.	13070 „

34 vessels.

57720 quintals.

The above-mentioned importation of codfish was from the following coasts:

Labrador.....	9 vessels.....	11150 quintals.
Newfoundland.....	6 ".....	10720 "
Gaspé, (Lower Canada,)..	15 ".....	30350 "
Bay Chaleur.....	2 ".....	3300 "
Arichat.....	2 ".....	2200 "
<hr/>		
34 vessels.		57720 quintals.

There are, besides, a number of various kinds of skins imported, such as seal skins, both salted and dry; of which, in 1833, there were 1706 tale, brought here, and, in 1834, there were 11567 tale; and hare, martin, beaver, squirrel, otter, fox, and musk-rat skins, but the quantity of these is not important. A portion of the fish oil is used here for various purposes, and, among others for feeding the wick in the *craset*, hung up in large chimnies of country kitchens, where half a dozen, aye, a goodly dozen persons, can sit comfortably round the hearth, and one or two in the corner of the hearth, during the long winter evenings, and listen to tales of the past, or to the wonders of other lands, reported by the weather-beaten mariner.

The remainder of the fish-oil and the skins, are principally sent to England. Besides that product of the fishery, which is brought to Europe, there is exported, especially from Arichat, direct to the West-Indies, the inferior codfish, salmon, mackarel, and herrings; the value of which is usually invested in rum, which is generally brought to Jersey.

It would be desirable, as a matter of curiosity, to ascertain the value of the aggregate products of the Jersey fisheries; but this cannot be done with preciseness, until the exact extent of their production, or exports from the coasts, is known; but I should not estimate the value at less than £100,000 per annum; for even that of the codfish imported into this island, during the past season, was upwards of £40,000; and much, as I have already noticed, is sent directly to Spain, Portugal, the Mediterranean, and Brazil.

The quantity of codfish formerly imported here was comparatively trifling: it was sent directly to market. Much was sent to Lisbon, where it was packed in boxes for Brazil—for while a colony, none could be sent there except by the mother country. Now, Portugal has lost that branch of commerce, and we have acquired a good share of it, as will be perceived when I notice our exportation to that extensive empire. The consumption of codfish in Brazil has very much increased; and the warfare between that country and her southern neighbours, has tended much to increase it. Before their war with Montevideo, large supplies of jerk beef were received at Brazil from the River Plate, which were of course stopped by the war. Jerk beef was then furnished by Rio Grande; but, during the past two years, that extensive province has been in a state of insurrection, prompted by a desire of throwing off the Brazilian yoke, and of being united to Montevideo. The temporary consequence has been that supplies of jerk beef have been prevented, and an advance in the price taken place; and although some is imported from the River Plate, yet the price proportionally to codfish has been elevated, and the latter has been preferred. This has occasioned an increase in the consumption of codfish, which, instead of being confined to free men, has been given to the slaves as a part of their food—which will always be the case during an equality or an approximate equality of price; for codfish is more acceptable,—more palatable than jerk beef.

Brazil offers a great opening for the future consumption of codfish. That extensive country has a population of about two millions of whites and three millions (alas, that it is so!) of slaves, and there is "ample scope and verge enough" for a larger population. Owing to the want of good communications into the interior, the codfish which is imported into the principal ports, as Rio de Janeiro, Bahia, and Pernambuco, is not sent far into the country; but increased facilities in the communications and means

of conveyance will rouse up more industry, will increase the value of the productions by lessening the expense of transport, and cause a larger consumption. This remark is a general one, and applies equally to all the importations into that country. Improvements will take place in Brazil, although many prejudices have to be overcome; and one great source of improvement, especially for the inland districts, will be the river Doce being rendered navigable, as it is about to be attempted by an English company, who have already had it surveyed by an intelligent engineer, who is now gone out for the second time, and will soon commence the undertaking. That company, I believe, are to have an exclusive grant of the navigation of that river for the term of forty years, which seems to offer to them favourable prospects, and, if they succeed, it will be of vast advantage to Brazil.

Our fisheries are not only beneficial from the capital and industry which they directly employ, but they are the means of increasing and supporting other valuable branches of our commerce and industry. A great number of labourers are employed in the carting and storing of that codfish which arrives here; many coopers are diligently engaged in the making of tubs and barrels, in which to pack that fish which is destined for Brazil; and many persons in the packing of it; for codfish is so required in that country, for the more easily transporting it on mules into the interior, and also because, from the heat of the climate, fish there cannot be preserved long, especially if it be in bulk. From the number of tubs of codfish exported from this island to Brazil, we shall be better enabled to form a notion of the home industry required to prepare them.

In 1833.....	11052 tubs.
1834.....	15902 „
1835.....	16052 „

Each of these tubs or barrels contains a Portuguese quintal of codfish, which is equal to nearly 128lb. English weight. The export from Jersey of the fish of the last season to Brazil will amount to about 40,000 quintals; but to take a fairer average, let us suppose that the annual export from this island for South America is 30,000, we shall easily estimate the sum expended for the making of the tubs and the packing of the fish—which is divided between the cost of the wood and hoops, and the wages of labour, the latter bearing the far greater proportion. That sum will amount to £3,000, which becomes circulated among several industrious persons. This is exclusive of what I noticed above, of the expenses of storing and cartage, both to the store, and thence back to the harbour. Of the many persons thus employed at Jersey, some, in the summer, participated in the preparing of the fish at the stations abroad, some have ceased leaving the island, and the others are Jersey and English labourers.

About one third of the Jersey shipping is taken up at the fisheries; but employment is also afforded to several vessels in the carrying of fish from Jersey to Brazil. Admitting that the exports from this island to that country, during this season, were 40,000 tubs, about 3600 tons of shipping will have been required. In this we have an advantage over Guernsey, for while the merchants there are often under the necessity of sending out their vessels to South America in ballast, we find cargoes for ours; and if any prospect of advantage for wines or other articles is held out at Brazil, we are equally prepared, as in Guernsey, to send out vessels and attempt the speculation.

It must not however be supposed that, in the fish trade, we are free from competition; we have a powerful one to encounter. In the Spanish markets we have our fellow labourers of England; and at Brazil we have the enterprising merchants of Halifax in Nova Scotia, and of St. John's in Newfoundland. Some commercial houses there export very largely to South America, and this last season especially, their exports southward have greatly exceeded that of former years; so that, from the large

quantities sent to Brazil, this season, many losses will inevitably be made by the speculators.

The fear of a decrease in the consumption of codfish has long been entertained. It was the opinion of Sir Joshua Child that the decay in England's Newfoundland fishery from one hundred and fifty ships in the year 1605, to eighty in the year 1670, was principally owing, "to the increasing liberty which is every where more and more used in Romish countries, as well as others, of eating flesh on Lent and fish days;" but an increase soon took place, for we find that in the year 1676, there went from England to the fisheries one hundred and two vessels. M'Culloch considers it "doubtful whether the distant cod fishery may not have passed its zenith. Spain, Italy, and other Catholic countries, have always been the great markets for dried fish; but the observance of Lent is every day becoming less strict; and the demand for dried fish will, it is most likely, sustain a corresponding decline. The relaxed observance of Lent in the Netherlands and elsewhere has done more than any thing else to injure the herring fishery of Holland." But while it may appear probable that the consumption of dried codfish will decline in Europe, it seems doubtful if it will decline generally; for Brazil will annually require a large supply, owing to the causes I have before mentioned, and also to the heat of the climate, and to the impossibility of preserving fresh meat.

During the past war, goodly fortunes were made by some of the Jersey merchants who had establishments for the fishery at British North America. While the English army was in Spain, several cargoes of fish were sold by our merchants in that country, at prices considerably above what they had cost, which most fully repaid for the danger which was incurred of being captured by the enemies' ships. In the present happier time of peace, such large profits are not realized by individuals, but industry is more spread and the profits more divided—which is better for the community. It will also frequently be found that large fortunes rapidly amassed are not usually productive of so much good, even to the possessor, as might at first be imagined. They often produce a gambling, speculating disposition, and habits totally opposed to those of economy, steady and persevering industry, which are among the chief causes of the improving wealthiness of a country. But it is much worse when capitalists are induced to leave that employment, where the returns are small but sure, and engage in those other pursuits where the objects in perspective, as in a lottery, are more splendid and where, for a time, large profits may be realized, but where the base of that industry or enterprize is not permanent, but fleeting and transitory; for after those temporary causes, which so allured, are removed, that industry which preceded them, though of a durable nature in itself, is probably lost to the community, from the neglect of not persevering in it; for when a person has been accustomed to the former kind of industry, he is not usually the most qualified to resume that other, where profits are small, and labour, diligence, and economy are required. During the last war, privateering offered to capitalists, in these islands, the hope of a speedy fortune, and indeed the privateers of the Channel Islands were very successful, and brought large sums to many persons who were interested in them; and, besides this, much money was made in Guernsey by traffic with smugglers; but when peace was proclaimed, some persons who had made a fortune withdrew from business, especially in Guernsey, whose trade not being established upon any sure or permanent ground, declined. The Newfoundland trade of Jersey offered a substratum to our industry, and, since the war, the profits to the principal merchants on each commercial transaction may have been less; but industry has increased, and with it our wealth, our commerce, and our prosperity.

(To be continued.)

L. Q.

MEMOIR OF THE LATE JOHN MAC CULLOCH, M.D., F.R.S.,
F.L.S., F.G.S., &c. &c.

DR. JOHN MACCULLOCH was born in Guernsey, on the 6th of October, 1773. He was descended from an ancient Scottish family, who possessed considerable property in Galloway, but who had suffered much from their attachment to the cause of the Covenant and their opposition to the tyranny of Charles the Second. Their estate and castle were at Cardoness, on the river Fleet, in Kirkcubright. He was the third son of Mr. James MacCulloch, a gentleman who was loved and respected by all who knew him, and who died in Guernsey, in 1832, at an advanced age. His mother was Miss De Lisle, daughter of Mr. Thomas De Lisle, of Smith street, in this island. His grandfather, John MacCulloch, was the seventh son of David MacCulloch, who for some time served in Holland in a military capacity, under the Stadtholder, afterwards William the Third of England, and who subsequently, during the reign of that monarch, held in Scotland the situations of Lord Lieutenant of Galloway, Sheriff of the Stewartry of Kirkcubright, Receiver General of the land-tax, and the sinecure place of Clerk to the Pipe.

In his childhood, Dr. MacCulloch was thoughtful and fond of being alone. When between five and six years old, he taught himself to write with the head of a pin. He seldom played with other children, but was in the habit of going into a room which his father, who was a man of scientific and literary attainments and a good mechanic, allowed him to use as his own, and the door of which he contrived to fasten with a large bent needle in such a manner as to prevent his brothers from entering. Here he amused himself by drawing, carving various articles in wood and cocoa nut shells, attempting to make gunpowder, and, after he had effected that, by manufacturing fireworks. The first school to which he was sent was the grammar school at Plympton; he was afterwards removed to one at Penzance; and thence, in 1787, to the grammar school at Lostwithiel, in Cornwall, where he remained three years, and where his talents seem to have been appreciated by the master, Mr. M'Gilvray.

In 1790 he went to prosecute his medical studies at Edinburgh, where he obtained his diploma of physician, at the age of eighteen, being the youngest man who had ever passed the examination, which was then very severe. He subsequently entered the army as an assistant surgeon in the royal regiment of artillery, and, on the 5th of April, 1803, he was appointed to the situation of Chemist to the Board of Ordnance. In 1807, he resided at Blackheath, where he practised as a physician.

About the year 1811 he was engaged by Government to make various surveys in Scotland. He, in consequence, gave up his practice, which he never regularly resumed, although he was frequently consulted. The first business on which he was employed in Scotland, was in a search for stones adapted to the use of the Government powder mills. The second was an examination of the principal mountains, with a view to the repetition of the experiments which had been made at Schehallion on the density of the earth. The third had for its object the correction of the deviations of the plumb-line on the meridian of the trigonometrical survey. Whilst he was making these surveys, he also employed himself in geological observations and in collecting materials for a mineralogical map, as well for his own amusement and instruction, as with the hope that they would become useful to the country at some future time. In 1826 he was desired by Government to complete the work he had thus begun; and this was the commencement of the last great public work in which he was employed,—the mineralogical and geological survey of Scotland,—which was continued every summer from 1826 to 1832, when he completed it. During the winters of these years he put in order the observations made in the summer, drew sections, prepared the map, &c. &c. This gigantic work, the labour of one individual, has never been surpassed by any undertaking of a similar nature. The report and map have been placed in Mr. Arrowsmith's hands, but have not yet been published.

While Dr. MacCulloch was engaged in these surveys, he was not inattentive to the various objects by which he was surrounded. Some of the fruits of his labours are before the public. The first was, "A description of the Western Islands of Scotland, including the Isle of Man, &c. 2 vols. 8vo., with 1 vol. 4to. of plates. London and Edinburgh, 1819." Secondly, "A Geological Classification of Rocks, with descriptive Synopses, comprising the Elements of Practical Geology. London, 1821, 1 vol. 8vo." Thirdly, "The Highlands and Western Isles of Scotland, in a Series of Letters to Sir Walter Scott, Bart. London, 1824, 4 vols. 8vo." Fourthly,

"A System of Geology, with a Theory of the Earth, and an Explanation of its Connection with the Sacred Records. London, 1831, 2 vols. 8vo." In addition to these larger works, he published anonymously, in 1823, an account of Blair and Dunkeld, and contributed many papers to Brewster's *Edinburgh Encyclopædia* and to Brande's *Philosophical Journal*, on various subjects connected with Scotland generally, or with its rocks and minerals, besides others on different topics. One of his papers in the *Edinburgh Encyclopædia* is a description of twenty two species of medusa found about Shetland and Orkney.

It might be supposed that so much of his time was taken up in the series of surveys in which he was engaged, that little or none could be left for other pursuits. This, however, was not the case. In 1821 he published a *Treatise on the Art of making Wines*, which reached a fourth edition in 1829. He never lost sight of his profession, although he was unable to follow up the practice of it. We have the proof of this in two elaborate works which appeared in 1827 and 1828. The first is entitled "*Malaria, an essay on the Production and Propagation of this poison, and on the Nature and Localities of the Places by which it is produced, &c.*" 1 vol. 8vo. London." The second is "*An Essay on the Remittent and Intermittent Diseases, including Marsh Fever and Neuralgia, &c.*" 2 vols, 8vo. London." He also published some valuable papers in the transactions of the Geological Society, and contributed at different times a number of articles to the *Edinburgh* and *Westminster Reviews* and to the *London* and *New Monthly Magazines*.

Dr. MacCulloch's writings contain internal evidence that they must have resulted from deep thought, based on an intimate knowledge of the subjects he treated of. The acquisition of this knowledge was gained by intense study, aided by a wonderfully retentive memory. The variety of his acquirements was not less remarkable than their extent. Allusion has already been made to his knowledge of medicine, geology, mineralogy, chemistry, and trigonometry. He was also well acquainted with theology, astronomy, zoology, botany, physics, and the mechanical arts. He was skilled in architecture, as a proof of which it may be stated, that the buildings connected with some iron-works in South Wales, which are in the Egyptian style, were designed by him. He drew well, and has left an immense number of drawings. He was a good musician, and his musical compositions show that he was conversant with the theory as well as with the practice of the science. His accomplishments, as they are called, were cultivated at times which many persons pass without employment. His drawings were done while others were employed in walking or riding. His flowers and herbs were examined, dried, and painted, before breakfast in the long summer mornings. When he used to practise music, he did so during the twilight hours. In short, no portion of his time was unoccupied. And the magnitude of his labours appears still more remarkable, from the fact that for many years he was, for a longer or shorter period every year, afflicted most severely by the effects of malaria.

He completed, in 1830, a work entitled "*Proofs and Illustrations of the Attributes of God, from the Facts and Laws of the Physical Universe; being the Foundation of Natural and Revealed Religion.*" It was intended for publication in the following year; but its appearance was delayed by the announcement of the Bridgewater treatises. It has been recently published, in obedience to his last request, in 3 vols. 8vo. We intend noticing it in a future number, and shall merely state at present, that an immense mass of knowledge is brought to bear on the subject.

Dr. MacCulloch was Fellow of the Royal, Linnæan, and Geological Societies, and at one time Vice President of the last. In 1820 he was appointed Physician in ordinary to Prince Leopold of Saxe Cobourg. For some years, and till his death, he filled the situation of Lecturer on Chemistry and Geology, at the East India Company's Military Establishment at Addiscombe.

He married, in the summer of 1835, Miss White, whose family at one time resided near Addiscombe. He was with her in Cornwall, on a visit to his old friend the Rev. John Buller of St. Just, when the accident occurred which led to his death on the 21st of August, 1835. He fell out of a pony phaeton, by which, in addition to other injuries, his right leg was so shattered that amputation became necessary. The firmness and calmness of his mind were manifested during the operation. He asked questions of the surgeons from time to time, and even gave them directions. He, however, only survived the operation a few hours. His remains were conveyed from the house of his friend Capt. Giddy, near which the accident happened, and interred in the churchyard of Gulval, a village about halfway between St. Michael's Mount and Penzance, and in which village his father had resided, at one period of his life, for some years.

NOTES OF THE MONTH.

GUERNSEY.

Royal Court.—March 25th.—Mr. Thomas Lihou was sworn into the office of constable, for the parish of St. Peter-Port, in the place of Mr. F. B. Tupper.

April 1st.—Lieutenant-Colonel Harpur, of the royal engineers, as senior officer in command, was sworn into the office of commander-in-chief, *pro tempore*. On the same day, the order in council, subjecting the island of Herm to pay the duty of one shilling per gallon on all spirits therein consumed, was registered.

April 6th.—Peter Bougourd, pretending to know anatomy from inspiration, was forbidden to handle the fractured limbs of His Majesty's lieges, under a penalty of twenty pounds, besides being liable for special damages resulting from his ignorance.—Mr. Henry Cumber, cupper and druggist, was prohibited practising as a surgeon or apothecary, under a penalty of twenty pounds to the king, besides answering for all consequences that might follow from any improper treatment.

April 15th.—On the application of Mr. John Cochran, farmer of the king's weights, the court decided that potatoes imported into the island should pay the customary toll, on the ground that potatoes were sold by *weight*, and not by *measure*.—On the same day, the court decided that the parish of St. Andrew was not liable to pay the town parish for the use of the fire engines, unless they were specially ordered by the constables of St. Andrew's; but compelled the payment of twenty-five shillings, the engine having been detained all night, at the desire of the authorities of St. Andrew. In the great majority of cases, the fire engine would be useless in the country, there being so few streams of water, or ponds. As to wells, their supply would soon be exhausted.

Quarter Chief Pleas, April 3rd.—It was ordered that the *equivalent*, or road tax, should not in future be called for by the constables of the various parishes, but be paid by the individuals owing it, on the first and second Mondays in October,—and that in default of their so paying it, they should, on being called upon, be charged one-third in addition to the ordinary rate, in the shape of a penalty. This is a judicious measure, for it is a severe hardship to impose this onerous duty of collecting on a constable, who gives up his time to the public without any compensation. But the whole system of the existing road tax requires a radical reform. It is preposterous and unjust to levy a rate merely on property skirting the road, and exempting all the interior lands. As the unfairness of this plan is now generally acknowledged, it may be well to lay before our readers a statement of the number of verges contained in each parish, as this will furnish a *datum* for a new mode of assessment.

Catel.....	6700 Verges.
Vale.....	4980 "
St. Peter-Port.....	4520 "
St. Martin.....	4190 "
St. Saviour.....	3970 "
St. Peter-in-the-Wood.....	3588 "
St. Sampson.....	3569 "
St. Andrew.....	3680 "
Forest.....	3379 "
Torteval.....	1854 "

The total number of verges thus amounts to 38,443. The annual deficit on the present road tax is nearly £1000 per annum, which accrues from the practise of exempting all the interior lands; but if it rode over the whole, as it ought to do, then a rate of sixpence per verge would overcome the present difficulty. Or a scale might be formed, relieving the grounds, say less than one verge, from any contribution. We recommend this subject to our rural politicians.

On the same day, the advocates presented the annexed petition to the court, which was rejected by a majority of one. The document does credit to the independence and talent of our lawyers, and deserves to be recorded among our local *memorabilia*.

"To the bailiff and Jurats of the Royal Court of Guernsey.

The humble petition of the undersigned, advocates of the Royal Court,

SUBSCRIBERS.—That your petitioners are bound by the laws and customs of this island, to attend at all the sittings of your Royal Court, and to plead for all who may claim their professional assistance.

That this rule is so firmly established, and so rigidly enforced, that your petitioners are obliged to plead, without any remuneration whatsoever, for all indigent persons against whom the king's officers prefer a criminal accusation.

That your petitioners are frequently called upon to defend individuals brought before the Court of the Quarter by the Constables, when the Jurats sit as a Court of Correctional Police, a duty they, and their predecessors, have discharged from time immemorial.

That in a case of Correctional Police, heard on Thursday last before the Court of the Quarter, the Jurats refused to allow one of your petitioners, who was engaged by the defendants, to examine the witnesses, being of opinion that the advocates had no such privilege, but simply a right to plead.

That the Jurats, then present, grounded this opinion on a decision which, they said, had taken place some years ago on this point.

Now, your petitioners respectfully submit to your Royal Court, that the Jurats were in error in regard to the decision alluded to, for the Jurats composing the Court of the Quarter, decided that the advocates might examine witnesses, but not plead, though this decision has never been acted upon.

That on Thursday, the 24th ultimo, an individual, who appeared before the Court of the Quarter in an affair of Correctional Police, demanded the assistance of an advocate, and that, on the representation made by one of your petitioners, his demand was granted by the court, who permitted the counsel for the defendant both to examine witnesses and to plead, but, at the same time, intimated their wish that the question should be submitted to the court in a body.

That in consequence of what has now been stated, your petitioners think themselves in duty bound, both so far as it regards themselves and the public, to pray the court to define their professional rights and duties in cases of correctional police.

That if your petitioners merely consulted their own personal interest, they would pray the Royal Court to be entirely freed from attending the tribunal of correctional police, and be released from defending offenders in such cases, for which they rarely receive any compensation, although they lose a great deal of time, being frequently obliged to remain in court during the whole of Thursday, besides being compelled to attend on Mondays, Tuesdays, Thursdays, and Saturdays, and to appear before *Commiss* on Fridays; so that they have only Wednesday and part of Friday to receive their clients, attend to the writing of *ajours*, and other legal documents, and pursue the usual routine of forensic affairs.

That your petitioners think, however, that they would badly discharge their duty to the public, if, swayed by motives of personal interest, they attempted to evade performing the

duties of their office to the fullest extent, and without regard to persons.

That if the assistance of an advocate be necessary to defend accused persons who are brought before the Criminal Court, at the suit of the king's officers, it is still more required in cases of police, which are decided summarily before the Court of the Quarter; for when any person is to be tried before the Criminal Court, preliminary proceedings take place; the accused party has time to prepare his defence, he has opportunities of consulting his friends, and of finding witnesses who may give evidence in his favour; whereas, in cases of police, the accused, if lodged in goal, is kept *ex secrete*, till he is produced before the court, and is thus debarred from any power of discovering witnesses, and has neither time nor opportunity to prepare his defence, and is frequently ignorant of the offence with which he stands charged; and even if he is not incarcerated before being brought before the court, it often occurs that he is only warned by the constable to appear on the evening preceding, or the morning of his trial, so that he is taken by surprise.

That these considerations are entitled to the more weight, when we bear in mind that the Court of the Quarter is empowered to condemn those who are found guilty to an imprisonment for a month in solitary confinement on bread and water, or to a heavy fine; and it can also compel strangers convicted, or even suspected of crimes, to quit the island, unless they find bail for their good conduct, which bail may be so excessive as to be tantamount to a sentence of perpetual banishment.

That if it be just to allow persons accused of crimes and brought before the Court of the Quarter to retain an advocate for their defence, that advocate ought to be permitted to exercise his abilities without any restraint; it seems, therefore, unjust to prevent them either from pleading or examining witnesses; besides, the interests of justice require unfettered liberty for the advocate.

That if an advocate were merely allowed to question witnesses, without pleading, it would be an act of injustice towards the accused; in as much as facts which, *prima facie*, seem strongly to militate against him, often admit of an explanation tending to a totally opposite result; and for this other reason; because, in all cases, the king's officers represent the public, and, in giving their conclusions, are allowed to make such remarks as they deem necessary.

That the injustice of refusing the defender of an accused party to plead, has been so strongly felt in England, that in the last session of Parliament, a law was enacted, granting that privilege in all cases, which had formerly been withheld in the majority of prosecutions.

That there would be still greater injustice in preventing the defenders of accused parties examining witnesses, than in debarring them from pleading. That "evidence is the soul of pleading," is a maxim familiar to all the world. In truth, the most important part of all judicial proceedings is a knowledge of facts, and it is scarcely possible to arrive at pure truth unless the witnesses are examined by both parties. In England, even before the enactment of the law just alluded to, an advocate was always allowed to examine witnesses.

That when the Court of the Quarter refused the advocates the privilege either of pleading, or of examining witnesses, in police cases, they assigned as their reason for so doing, that the public interest required that the time of the court should not be wasted in hearing long examinations and long pleadings.

That your petitioners submit that this argument applies as much to civil and criminal causes, as to police causes; and if, on the other hand, public interest requires that the time of

the court should not be uselessly lost, it also requires, on the other hand, that every member of society should be allowed a free and full defence by an advocate, when under any accusation whatever.

Your petitioners, therefore, pray the Royal Court to declare, that persons accused of crimes, and produced before the Court of the Quarter, assembled to decide on affairs of correctional police, are entitled to be defended by an advocate, who shall be allowed to question witnesses and plead, unless it shall please your Royal Court to order that the attendance of your petitioners in such court shall in future be dispensed with, and release advocates from the duty of defending parties accused in cases of police.

(Signed) R. MAC CULLOCH,
T. J. B. FALLA,
H. TUPPER,
P. JERREMIER."

Guernsey, March 30, 1837.

Official Appointments.—Mr. Richard Mansell Ozanne and Mr. Frederick Thomas Falla, were sworn into the office of vassors of the *Cour St. Michel*.—Dr. Bisson was unanimously elected surgeon to the country hospital for the current year. Messrs. Nicholas Quartier and James Langlois were chosen collectors for the poor in St. Martin's parish. Mr. Daniel Moulin was elected collector for the poor in the town parish.

General Militia Orders, March 13.—The Lieutenant-Governor has been pleased to make the following appointment in the militia:

Staff.—Lieutenant-Colonel Frederick Mansell, of the 4th Royal Light Infantry Battalion, to be Aide-de-Camp to the Lieutenant-Governor. By Order of his Excellency the Lieut.-Governor,

P. BREEDTHAFFT, Deputy Inspector.

March 25.—The Commander-in-Chief has been pleased to accept the resignation of Colonel Francis De Putron, of the Royal Artillery Militia, on account of ill-health.

Promotions.—Lieutenant-Colonel John De Putron to be Colonel, vice De Putron resigned.

Major Richard Winter Isemonger to be Lieutenant-Colonel, vice John De Putron promoted.

Captain Henry Giffard to be Major, vice Isemonger promoted.

Lieutenant Joseph Gullick to be Captain of a company, vice Giffard.

Second Lieutenant A. M. Agnew to be First Lieutenant.

The Commander-in-Chief has also been pleased to accept the resignation of Major Lucas Le Cocq, of the Alderney Infantry Militia.

Promotions.—Captain William Sanford to be Major Commandant, vice Le Cocq resigned.

Lieutenant T. N. Barbenson to be Captain, vice Sanford promoted.

March 27.—The Commander-in-Chief has been pleased to make the following promotions and appointments in the militia:

Second or North Royal Light Infantry Regiment.—Lieutenant Nicholas Le Beir, and Lieutenant John Lainé Le Pelley, to be Captains.—Lieutenant Devic Carey, the senior Lieutenant, declining promotion.

Alfred Smith Collings, and John Collings Bonamy, gentlemen, to be Lieutenants.

By Order of the Commander-in-Chief,
P. BREEDTHAFFT, Deputy Inspector.

March 31.—No. 1. The Commander-in-Chief has been pleased to accept the resignation of Captain Utermarck, of the 3d or South Regiment of Royal Guernsey Militia.

No. 2.—Major-General Ross cannot relinquish the command of the Royal Guernsey Militia, which, for eight years, he has held with so much satisfaction, without expressing the sense he entertains of their patriotism and value.

To the Commanding Officers of Regiments, and to his personal Staff, the Major-General is much indebted for that alacrity and zeal in the execution of their duties, which, when participated in, as it is throughout the Guernsey Militia.

is the surest guarantee of efficiency in any military force. To the prevalence of this feeling it is that the Major-General attributes that creditable degree of efficiency which, with few opportunities of assembling, the Guernsey Militia has attained and preserves, and to it he would confidently have trusted for the cheerful appropriation of a much greater portion of time, had the necessities of the times, and the good of his Majesty's service required it.

The Major-General, in conveying his thanks and good wishes to the Officers, Non-Commissioned Officers, and Privates of the Royal Guernsey Militia, desires to assure them that he will ever feel interested in their efficiency and discipline, as intimately connected with the defence, the happiness, and welfare of their island.

By Order of his Excellency Major-General Ross,

P. BREEDTHAPPT,

Deputy Inspector Royal Guernsey Militia.

Elizabeth College.—Names of the scholars who most distinguished themselves at the Mathematical, Arithmetical, and French Examination, held on Monday, Tuesday, and Wednesday, the 20th, 21st, and 22d March, 1837 :

Mathematical Classes.

Class A.

1. RENOUF.
2. RYND, MR. }
2. TAYLER, MR. }
1. LE MARCHANT.
3. COWPER.

Class C.

1. WATT.
2. TAYLER, MR.
3. MARTEL.
4. COLLINGS, MR.

Arithmetical Classes.

Class A.

1. LACY.
3. GARRARD, MR.
3. DE LISLE.
1. UTERMARCK, MR.
2. LEE, MR.
3. LEE, MR.

Class D.

1. UTERMARCK, MR.
2. CHEPNELL, MR.
3. TUPPER.
4. HENSHAM. }
4. KERSHAW. }

Class B.

1. UTERMARCK, MR.
2. LEE, MR.
3. LEE, MR.
1. JEFFREYS.
2. BISHOP.
3. MOULLIN, MR.
4. CARRY, MR. }
4. READ. }
5. GILMOUR.

Class E.

1. CLEMENTSON.
2. TAYLER, MR.
3. DOBREE, MR.

French Classes.

Class A.

1. RENOUF.
2. BALLEINE.
3. RYND, MR.
4. LE MARCHANT.

Class B.

1. UTERMARCK, MR.
2. MANSELL.
3. MARTEL. }
3. RUSHER. }
4. BISHOP.

Class E.

1. GOODWIN.
2. WILKINS.
3. DILLON.

W. L. DAVIES, M.A., *Principal.*

Chamber of Commerce.—This excellent institution have engaged three small cutters to dredge for oysters round the island, and their exertions

have been crowned with eminent success. The experiment has now been fully tested, and it is proved that we have plenty of oysters, and of the best quality, so that instead of refusing the refuse from France, (for all their best go to Paris,) we can now enjoy our own, fresh and sweet. This branch of our local commerce now calls for the protection of the court, who ought to pass an ordinance regulating the season of the fishery, and fixing the minimum size of such as may be sold; unless both these points are settled, most serious injury will ensue.

Guernsey Mechanics' Institution, Half-Yearly Meeting, March 13.—The meeting commenced at seven o'clock; Mr. J. Le Lievre, one of the vice-presidents, in the chair.

Mr. Harris, secretary, having read the minutes of the last half-yearly meeting, proceeded to read the report of the present half year, from which the following are extracts :

Amount of monies received during the half year.....	£47 15 92
Expenditure during the same period.....	38 10 84
Balance in treasurer's hand.....	9 5 12

The donations to the Library and Museum have not been numerous.

The books and periodicals that had been purchased were then enumerated.

The Circulating Library consists of about four hundred volumes, besides periodicals.

The Library of Reference, two hundred and sixty-four volumes.

The number of members by last report was . 75
Joined during the half year..... 40

Have ceased to pay..... 115
115

Have ceased to pay..... 16
16

Leaving the present number to 99
Besides fourteen honorary members, total 113

The junior members by last report 13
Have joined 25

Have ceased to pay..... 37
37

Leaving the present number to 19
The following gentlemen were chosen to replace those who retired from office : *

President, F. C. Lukis, Esq., (re-elected).

Vice-Presidents.—Messrs. J. Cockburn, W. R. Todd, W. P. Monk.

Treasurer.—Mr. David Jehan.

Secretaries.—Messrs. W. White, and J. Talbot.

Committee Men.—Messrs. W. Harris, P. Naftel, D. Knight, W. Churchouse, R. Guille, H. De Beaugy.

A vote of thanks was then given to those gentlemen who retired from office, as also to the scrutineers.

* Messrs. G. W. H. Davey and J. Marquand were appointed scrutineers.

JERSEY.

The senate of Jersey has been compelled to suspend its legislative labours, in consequence of the absence of many of its members, some from temporary sickness, others from the incurable infirmities of old age. Casual illness is, of course, beyond human control; but it is disgraceful and absurd that individuals should still retain a public office when they are incapable of discharging the duties which it involves. It is impossible that this miserable state of things should continue, and if Jersey men are wise, they will instantly commence the reform of their institutions, or otherwise, they may look forward to the speedy interference of the British government. In consequence of the present construc-

tion of the States, the national business is greatly in arrear, and several Orders in Council remain unanswered. The reply to their lordships, on the petition of Judge Le Couteur to retire from the bench, stood over to the 15th March, and the order for abolishing lotteries is treated with most unbecoming neglect: in fact, one has been drawn and another is advertised, as if to beard the British government.

States' Meeting, 18th March.—On this day, the members were at last assembled, when the bailiff submitted the three following orders in council. The first related to the assessment of the rate at one half; the second, to the annulling the act of the States of the 19th of December last, autho-

rizing the drawing of lotteries; the third, to the petition of Judge Le Couteur to be relieved from his magisterial duties, in consequence of ill-health, and requiring answers. The first was registered without opposition. On the second, the constable of St. Martin's moved that it be lodged as *Grefte*, and that a committee be appointed to examine it, and draw up a report. This was supported by the constable of St. Peter's, who considered that the States had a right to pass acts for limited periods. The constable of St. Helier's combated this doctrine, and proved that, by an order in council of the 16th of May, 1816, the States were debarred levying money on the public, without the sanction of his Majesty in council. A lengthened discussion ensued, which terminated in the appointment of a committee, who were ordered to submit a report to the States. In the case of Judge Le Couteur, certificates of his bad health were produced, attested by Sir Benjamin Brodie, Bart., sergeant surgeon to his Majesty, and Dr. Hooper, of Jersey, and, after some debate, they were referred to a committee, which the king's officers were requested to assist by their advice.—Mr. Sullivan, administrator of the general hospital, presented a request through Judge Le Quesne, president of the hospital committee, to be allowed to resign. It was granted, and Mr. Philip Brine elected his successor against his competitor, Mr. Sohler, by a majority of sixteen against eleven.

Royal Court.—Messrs. T. Duhamel, Philip Le Geyt, and Philip Dean, were sworn in as agents of the Impôt, having been re-elected by the assembly of the governor, bailiff, and jurats. Mr. Peter Warne was also sworn in as auditor of the Impôt accounts, and Mr. J. Purchase, as gauger.—Maria Elizabeth Griffiths, a young lady respectably connected, but accused of theft and forgery, was acquitted, the witnesses for the prosecution not appearing to tender their evidence. In cases of this nature, all witnesses should be bound down in sufficient recognizances to be present at the day of trial.

Jersey Seamen's Friendly Society.—At the general meeting of this institution, held on the

31st March, John Robin, Esq., in the chair, the following account of the funds was produced. On the 11th of February last, there were 2302 contributors, who have each a separate account in the ledger, and the gross amount of their contributions is.....£815 1 0½
The subscriptions received are..... 21 0 0
Interest from Savings Bank, to Dec.
1, 1836..... 0 13 9

£534 14 9½

From which is deducted, for stationery, receiver's commission, &c.... 82 6 4½

Total.....£452 8 5½
Cr.

Invested in States' bonds, bearing 3 per cent., per annum, interest....£306 0 0
In the Savings Bank..... 152 8 5½

Total.....£459 8 5½

The Jersey Museum.—We are gratified to learn that a gentleman at Pernambuco has sent a present of two boxes of valuable curiosities to the museum. They consist, we believe, chiefly of birds, reptiles, and insects, peculiar to that part of the world, stuffed, amongst which are some extraordinary snakes. Recent discoveries have been made respecting the mummy, which is ascertained to have been a royal personage, and in all probability one of the most celebrated of the Ethiopian or Egyptian monarchs. It is not unlikely, we hear, that Mr. Pettigrew will come to Jersey in the summer to unroll the mummy, when we trust he will meet with that reception to which his profound knowledge of Egyptian lore entitles him.

Miscellaneous.—Mr. Mellish De La Taste, a highly respectable gentleman, committed suicide in a moment of temporary derangement. Mrs. Perring, sentenced to transportation, was sent off by the Lady De Saumarez, to be put on board the *Platina*, bound for New South Wales. Mr. Blandy, of the Castle Bridge Brewery, will have his bathing machines ready in the beautiful bay of St. Aubin, by the 1st of May.

SARNIAN MELODIES.—No. 11.

AT NIGHT'S PALE NOON.

At night's pale noon, the mariner
Who cleaves the lone and sleepless seas,
Turns to the moon, that shines as 'twere
Expressly formed his toils to ease.
E'en as the sailor on the main
Am I on life's uncertain sea,
And thus my soul, that sighs in vain,
My light, my Eliza, turns to thee.

The Moor, that o'er the burning waste
Of Afric's sands his way pursues,
That fill his footsteps soon as traced,
Where flaming skies their rains refuse,—
Oft for the fated well looks round,
And strikes his breast, with many a vow;
To me, on like dark journey bound,
That spring, that resting place art thou.

And when its palms at last arise,
Great is his joy, though mixed with fear,
Lest the rich view that greets his eyes
Should prove the mirage of the air.
And must, dear maid, such fears be cast
Across a heart devoutly thine,
Till o'er thy ruby lips is past
The ecstatic word that makes thee mine.

P.

GUERNSEY & JERSEY MAGAZINE.

JUNE, 1837.

THE DEATH OF SOCRATES.

THIS illustrious philosopher was born at Athens in the seventy-seventh Olympiad, or 469 years before the Christian era. His father, Sophroniscus, was a sculptor, and his mother, Phenerata, practised midwifery. On the score of pedigree, the wisest and most virtuous of the Greeks had nothing to boast, but, if he could not trace his lineage to a remote ancestry, his personal glory has endured for more than twenty centuries, and will endure so long as transcendent genius and moral excellence are revered by posterity. This is the essential difference between a *nobleman* and a *noble man*: the former depends for his station in life on the borrowed and transmitted reputation of his ancestors; the latter is the architect and sustainer of his own fame.

Socrates produced an intellectual reform at Athens, and he was murdered by the Areopagus for speaking and teaching the truth. The only crime of which he was guilty, was that of possessing acuter talents and more profound wisdom, than his cotemporaries. He unmasked the sophist and the priest, and fell a victim to their united hatred. When the *vortices* of Descartes were in fashion among the scientific world, and the sober views of Newton despised as plebeian and common place, the English sage modestly replied to his French rival; "*Hypotheses non fingo*: I do not invent hypotheses." Had he lived a century sooner, in all probability he would have been hanged. Socrates said to the sophists, "you palm mere words on the ignorant for ideas;" and to the priests, "you people the known and unknown world with deities of your own manufacture." For these offences, he was denounced as a destructive, and compelled to swallow poison.

Rightly to understand the character of Socrates, we must rapidly sketch the social condition of Athens, when he, as an intellectual gladiator, entered on the public theatre of his country. The early knowledge of the Greeks was derived from only two sources,—the legends of their

own poets, and the imperfect instruction received from foreigners, whom they indiscriminately styled barbarians. From these they derived their religion, their laws, the most necessary arts, their literature, their astronomy, and their geography, or, at least, the elements of these various departments of knowledge. Time, which ultimately destroys every thing, is slow to destroy prejudice. The Greeks did not readily emancipate themselves from the trammels of their first preceptors, and the faculty of imagination, for a long period, held ascendancy over the faculty of reason. Instead of patiently observing the operations of nature, they delighted in guessing at, and speculating upon, her secrets, for their lively and mercurial temperament unfitted them for continuous reflection, or the laborious investigation of facts.

In this state of public opinion, Pisistratus invited all the most celebrated sophists of Greece to reside at Athens, and the astute mind of the ambitious Pericles subsequently pursued the same policy with increased ardour, while he also bestowed a large portion of his patronage on poets, musicians, and actors. It was the business of the sophists to deliver orations on all subjects, and to be able, with equal facility, to handle either side of a question, the right or the wrong; hence it followed, that their object was not to investigate truth, but to secure victory at any price, even at the sacrifice of common sense. Of this species of debating, the Athenians were enamoured even to idolatry, and the celebrated Gorgias, the Coryphæus of the sophists, received a homage only inferior to that which was paid to the Gods. This method of argument was called the "Eristic Art," from the Greek word "ερισς," which signifies "strife or contention."

The system pursued by the sophists was one of ingenious imposition, but their success depended more on the ignorance and credulity of those whom they addressed, than on their own talents. The ambiguity of language, and the facility of varying the significations of words, were the sheet anchors of these disingenuous rhetoricians. Their disputations were wholly verbal, and they sedulously kept all fundamental principles out of view. Such were the men who ruled public opinion at Athens, when Socrates entered the public arena. He attacked the sophists with logic; called on them to assign a definite meaning to the terms they employed; rigorously brought their arguments within the narrow confines of a syllogism; and exposed the futility of their reasoning, the hollowness of their arguments, and the flimsiness of their postulates. Nor did his reforming spirit stop here; he denounced the polytheism of his country, and maintained the unity of God. Aristophanes ridiculed him at the theatre, and Anitus, the high priest, cited him before the Areopagus. That tribunal sentenced him to swallow hemlock.

On his way from the court to the prison, Socrates was attended by his favourite pupil, Plato, and all that was truly illustrious in Athens. His wife, Xantippe, wept aloud ; his disciple, Cebes, mourned in silence ; his admirer, Alcibiades, thundered forth his indignation against the priests and the sophists. Plato was absorbed in a profound reverie, but, after having walked about a quarter of an hour, he suddenly stopped, and raising his eyes to heaven, exclaimed ; " Supreme ruler of the universe, I have often thanked you for having made me a citizen of the most enlightened city in the world.... But I was in error."

Socrates.—No, Plato, no ; it is just to thank heaven even for the sweet illusions by which we are visited ; in truth, what are the enjoyments of this life, but illusions ; so long as we dwell on this earth, we see objects dimly through a blind ; death lifts up this blind, and truth then bursts upon us, radiant and unclouded. Plato, I already behold the celestial hand which is about to raise the blind.

Plato.—What ! in this Athens, where Xenophanes has, with impunity, ridiculed the theology of Hesiod,—where the books of the seven sages are openly studied, and where Euripides exhibits *Reason* on the stage in all its severe simplicity—shall Socrates drink hemlock ! Shall Socrates only be avenged by the impotent murmurs of an indignant posterity !

Socrates.—My dear friend, you thought your age enlightened, and it is not ; some few men of genius appear from time to time upon the scene, but they remain isolated and obscure, and the multitude pay them neither attention nor respect. The philosopher studies and writes ; the people labour, complain of the rapacity of their rulers, cheat all they can respectably in the way of trade, and persecute the unfortunate, who, in nine cases out of ten, are really virtuous ; the people do these things, but they do not read. I hold it as a general rule, that every man without fixed principles is a coward, and it is because he is a coward that he persecutes the wise man. However, this cowardice will seldom produce any bad effect, unless where it is inflamed into action by priestcraft. Timæus and Xenophanes did not alarm the interpreters of the Gods ; therefore they died peaceably in their beds : I have had the injudicious temerity to brave Anitus, the high priest ; therefore I must swallow poison.

Plato.—Behold the polytheistic impostor ! he approaches, the eternal opprobrium of my degraded country, where oracles are held sacred, while laws are trampled under foot, and where a priest is empowered to murder a philosopher.

Socrates.—My friend, bear in mind that an uneducated people never change. They resemble beasts of burthen who suffer themselves to be mounted, bridled, and spurred by the first person who is bold

enough to leap on their backs ; if this bold man possesses genius, the age is called an enlightened age ; if he is a mere enthusiast, the age is called a barbarous age. You, my friend, are one of those men who are eminently qualified to stamp a character of greatness on your generation ; be content with enlightening those citizens who resemble you in feeling, but expect neither reason nor gratitude from the multitude. You are ambitious of founding a perfect republic ; into it introduce the people, but be careful how you trust them with power, for they who only think by precedent cannot possess independent volition, or act as free agents.

Whiling away the time with this conversation, Socrates and his disciples reached the portico of the temple of Ceres, where their progress was stopped by a countless throng who filled up the square and all the avenues leading to the temple. That year was celebrated a secular festival, and the Athenians flocked in crowds to expiate their crimes by idle processions ; a superstitious epidemic had seized on all the citizens, infecting even the better instructed, for the priests had succeeded in persuading them, that the surest mode of entering Elysium, after death, was to walk solemnly from temple to temple, to shout out Egyptian songs, not one of which they understood, and in particular, to persecute philosophers.

Anitus had presided over these august buffooneries, and was just leaving the temple of Ceres, as Socrates passed by the portico on his road to prison. "Behold him," exclaimed Anitus, "that sworn enemy of Diana, who denies that she drives in person the chariot of the Moon ; that destroyer of morality, who never attends our holy processions ; that monster, who places the priest beneath the philosopher." The stupid vulgar re-echoed the fanatical strain, and shouted out ; "Yes, he is the enemy of Diana, the destroyer of morality, a monster, a philosopher."

"Athenians," continued the subtle pontiff, "this Socrates, whom you see, advises your children to shun the courtezans ; he is thus the corruptor of youth ; he has proved in a book, which I have not read, that there is only *one God* ; therefore he is an atheist ;" on hearing which the multitude exclaimed : "He is the corruptor of youth, he is an atheist."

"My friends," added the sanctified impostor, "if, without waiting the execution of the sentence pronounced by the Areopagus, from which through his cunning he may escape, we ourselves were to deliver Greece from this blasphemer !—if we were to strike the victim whom Jupiter throws into our hands !—if we had the courage to avenge the Gods !"

The friends of Socrates did not wait to hear the deluded rabble

exclaim, "Let us avenge the Gods," but hurried their master into the temple of Ceres, now deserted by the followers of Anitus; they closed the doors, and awaited in silence till the fanatical tumult should either cease, or the infuriated zealots should burst into the sanctuary, and stain the altars with the blood of the philosophers. Anitus dared not profane the temple; he contented himself with walking from one quarter of the city to the other, inflaming the passions of the multitude, and Socrates escaped death from the dagger, only to meet it more leisurely by swallowing poison.

As soon as the sentence of the Areopagus was known, the various priests of polytheism, inflamed with the ardour of proselytism, determined to visit Socrates in his prison; all hoped that he would renounce his heresy; all desired that he would die an apostate; and each flattered himself that the chief of the philosophers would adopt his own favourite creed. The first who presented himself was an old Chaldæan, who carried a golden image of a pike fish. "Athenian," said he to Socrates, "behold the God Oannes! four hundred and eighty thousand years have just elapsed since he created the world, and in order that he might be more easily recognized by mortals, he assumed the figure of a pike; behold him from the summit of heaven spreading out his immortal fins; believe in him, and die in peace."

Socrates smiled. "My friend," said he, "I pity your fellow-citizens, who have chosen a pike for a legislator; they have since deified this legislator; I consider this new God better to serve as the food, than as the protector, of men; unhappy old man! you carry your God on your back; I wear mine in my heart; depart, my altar is better than yours."

An Egyptian priest now presented himself with a white bull that he led with a string. "Socrates," said he, "you behold the successor of the God Apis, whom I feed and tend for the salvation of Egypt; listen to his sublime bellowings! behold his oracles imprinted on these hieroglyphics. Believe in him, and die in peace."

"Worshipper of Apis," replied Socrates "I do not believe that you derive any real consolation from hearing the sublime bellowings of your celestial quadruped; if your bull were immortal, he would not require your protection; and if it be true that no *man* appears great in the eyes of a slave who dresses him, what veneration can a priest have for a *bullock*, only distinguished from other oxen by some fanciful marks on his body? I wish that the worship you have invented was more worthy of the people whom you profess to instruct; what relation can exist between beings who think, and a bullock who merely ruminates, and that Supreme Creator who has peopled space with myriads of worlds? If your Apis, your Anubis, and your sacred

crocodiles are only allegorical beings, at least put a little more wit into your apologues; take Esop as a model; recollect that the worthy Phrygian fabulist made his beasts talk more sensibly, than the theologians of Memphis do yours."

At this moment the gaoler opened the great gates of the prison, and a crowd of polytheists rushed into the interior. Some played with the swan of Leda; others caressed the heifer of Io; a third party were smoothing the plumage of the eagle of Ganymede. A little negro produced a bug-fly whose sacred buzzings were adored in the deserts of Africa; and the worshippers of Atys and Cotytto made the air resound with their frantic exclamations. By degrees, the blatant tumult ceased; the shades of evening warned both the polytheists and the philosophers to retire, and Socrates was left alone in his dungeon, with his wife and child.

* * * * *

The first faint streaks of orient light now shed their doubtful rays through the grated windows of the prison; Socrates had not slept, but had passed the night in meditating on the immortality of the soul; his wife, Xantippe, her eyes moist with tears, regarded sorrowfully the illustrious captive whom she had tormented through life by the irascibility of her temper, and whom she began to reverence as a great man when she was about to lose him; a son of seven years of age, fruit of their union, slumbered at her feet, one hand resting on the knees of Xantippe, while with the other he grasped the chains of his father.

The officer of the Areopagus now arrived, and, as was the custom at Athens, removed the manacles from the prisoner, which were merely used as a safeguard against escape during night. He was followed by Plato, at the head of the philosophers; on beholding his captive friend and master, he uttered a cry of grief, and hid his head in the folds of his mantle. His companions, in eloquent silence, ranged themselves round the dungeon, some weeping with Xantippe, others caressing the unconscious child, who was playing with his father's fetters. Socrates alone, firm and collected, approached the officer of the Areopagus, and assisted him in mixing the hemlock. Then turning to the philosophers, he said, "Shall we resume our conversation of yesterday on the immortality of the soul?"

"What?" exclaimed Plato, "shall we conclude that the soul of Anitus is immortal?" and he shaded his face with his robe.

"Yes," answered Cebes, "it is, as well as that of Tityus, or Tantalus, or Atreus; to justify the ways of Providence to man, that must be admitted, and we may affirm that their punishment is reserved for a future state."

"My friends," said Socrates, "tarnish not the glory of my death;

Anitus, whom Cebes devotes to eternal perdition, is he so culpable, as to merit such a sentence? I attempted to deprive him of those fantastic divinities with which he duped the people, and he has avenged himself: this is the natural order of events in this sublunary world; had I died tranquilly in my bed, there would have been no fanaticism to extirpate in Athens, and Anitus would not have been Anitus. When I resolved to destroy the altars of superstition, I prepared my mind for a violent death; I determined to speak truth to my country, even though it punished me for so doing; and, surely, truth is not to be put in the scale against the life of one old man of seventy. No, Cebes, I will not falsify philosophy at the moment I am going to cull its most fragrant flowers; better is it to be a victim for the religion which pardons, than the bravo of a religion which persecutes. I will drink the hemlock without cursing Anitus; none but the guilty in conscience curse their judges; and my heart assures me that I am not a criminal, since all that is enlightened in Athens attest my innocence."

The fatal beverage was now prepared; the officer of the Areopagus was pouring it into the goblet. Xantippe, frantic with despair, rushed forward, and raised her arm to strike down the poisoned cup; but Socrates arrested her hand. "My dear wife," he exclaimed, "let not Anitus triumph; under other circumstances, your zeal for me would be heroic; now, it is a crime; let us part; quit the prison; do not render my death painful by your presence; we shall meet again in another and a better world." Socrates then embraced Xantippe, and, at a given signal, Crito led her from the dungeon.

The philosopher felt a somewhat severer pang in parting from his child; one of its little hands was twined round his father's neck, while with the other he attempted to keep off a slave who wished to carry him to his mother; he called on each of the philosophers by name to come to his assistance; they answered him by their tears; the scene became too afflicting, and even the firm mind of Socrates was almost subdued. By a strong effort he roused himself, and, placing his child in the arms of Plato, said, "Dearest of my friends, I bequeath my son to you as a legacy; be to him a father; if he resembles you, he will lose nothing by my death." Plato retired for a moment, placed the precious burthen in the arms of Xantippe, and returned to the prison.

The grand sacrifice was now about to be consummated; the officer of the Areopagus, awed by the solemnity of the scene, approached in silence, holding in his hand the cup of hemlock. "I comprehend you," said Socrates; "I must die; friend, give me the cup; it is the cup of immortality."

All the friends of the sage fixed their eyes intently on his countenance; they scarcely breathed; Socrates raised the fatal potion to his

lips; at this awful moment, a loud noise was heard in the vestibule of the prison; the door was burst open, and Alcibiades appeared, a naked sword in his hand, followed by a small band of devoted friends, the glitter of whose weapons shone forth from the folds of their mantles.

Alcibiades.—Socrates, I come to save the honour of our country; you are free, and, for once at least, this sword shall be more just than the Areopagus.

Socrates.—Barbarian soldier! would you dishonour the last instants of my existence? Can you prevent my death?

Alcibiades.—Die if you must; but die as a hero on the field of battle, not as a vile criminal in the obscurity of a gaol.

Socrates.—Provided I serve my country, what matters it whether I meet death in the shock of armies, or in a dungeon. Our country marks the post which each citizen is to fill; that of Leonidas was at Thermopylæ; mine is here.

Alcibiades.—What! Socrates! do you not fear that your memory will be tarnished by the infamy of your punishment? See you not that calumny will engrave your imaginary crimes on your tomb, that the laws will sanction the inscription, and that posterity will believe it true?

Socrates.—No, Alcibiades, posterity will not think me vile or worthless because I have drunk hemlock; my friends will survive; my mantle will descend upon them; they will render the name of a philosopher respected by the descendants of the weak mortals by whom I am oppressed; future ages will be enlightened, and thus I shall be avenged.

Alcibiades.—I stand amazed. What! do you, divine Socrates, enchain this arm? do you refuse the life I proffer to you by my sword?

Socrates.—Alcibiades, listen: I have not that stupid frenzy, called by fools courage, which would prompt me to break down the barriers of life with a rash and impious hand; were it permitted to me still to live, I would cheerfully prolong my career; but my country orders me to die; I shall obey her mandate, and, within another hour, shall cease to be. My country! I see her august form glide within these gloomy walls; I hear her awful voice thus speak to Alcibiades: Rash soldier! who has constituted you the judge between Socrates and me? Is the sword of war to cross the sword of the laws? Replace your weapon in its scabbard, and remember that you cannot declare those innocent whom I condemn, without compelling me to punish two criminals instead of one.

Alcibiades.—Socrates, your excess of virtue unmans my resolution—drink the hemlock—may I soon follow you to the tomb.

So saying, Alcibiades threw away his sword, on which his friends

retired ; Socrates then embraced him, and tranquillity again reigned in the prison.

A profound silence succeeded this terrible scene ; the officer of the Areopagus, recovering from his consternation, approached the sage ; Socrates raised the cup, cast a look of affectionate regard on his friends, and drank.

In those days, the art of preparing poisons was but imperfectly understood ; it was not till some centuries later, that the murderer of Britannicus learned from Locustus the secret of procuring instantaneous death : that of Socrates was more lingering, and he had to walk up and down his apartment for some time, before the fatal beverage produced its full effect. In this interval he conversed with his friends, and impressed on them the doctrine of a future state, and the benevolence of the Creator. "Could I," said he, "meet death without fear, were I not persuaded that God is now looking at me?"

A torpid numbness now began to steal over the frame of Socrates, and his legs tottered ; he reclined on his bed, and there continued to indulge in his favourite views of religious philosophy, till articulation failed. Some intervals of strength broke through the prevailing lethargy : he beckoned Plato, and said in dying accents, "I now no longer see you, but I wish once more to hear your voice ;" but Plato only answered by his tears. Cebes approached, and pressed his cold hand, and then raised it to his lips ; the expiring sage again opened his eyes, and faintly murmured, "Dear friends, I am now nearer to God than to man." These were his last words ; a moment of convulsion followed, and the immortal spirit, disengaged from its earthly tenement, winged its flight to heaven, and closed its pinions on the threshold of Paradise.

When the sight of the prostrate form announced that the great debt of nature was paid, Alcibiades rushed to the bed of his departed friend, and clasped the dead body in his arms ; but when he saw that his unavailing tears merely watered a lifeless corpse, he gave way afresh to the ardent impetuosity of his character. "Athens," he furiously exclaimed, "is it thus you treat the philosophers who are your glory and your ornament ? What care I for your laws, which protect my property, if they deprive me of the sage who enlightens my understanding ? May the day soon arrive when your fanatical priests will be buried in the ruins of their temples, with the idols that they worship ! May Erebus engulf the judges and thy Areopagus ! I shake from the sandals of my feet the dust of this guilty land, which I trample on, as I do on Anitus : Persia stretches forth her hospitable arms for my reception, and thither will I fly for refuge. The despotism of the descendants of Xerxes alarms me less, than the tyranny of a republic which has murdered Socrates."

THE EGYPTIAN LOTUS.

EMBLEM sublime of that primordial power
That on the vast abyss of Chaos moved ;
What pen shall paint thy charms, majestic flower !
By mortals worshipped, and by Gods beloved.

From Æthiopia's lofty mountains rolled
Where Nile's proud stream through gladdened Egypt pours ;
In raptured strains thy praise was hymned of old,
And still resounds on Ganges' faithful shores.

Within thy beauteous coral's full blown bell
Long since th' immortals placed their fond abode ;
There, day's bright source, Osiris loved to dwell,
While by his side enamoured Isis glowed.

Hence, not unconscious to his orient beams,
At dawn's first blush thy radiant petals spread,
Drink deep th' effulgence of the solar streams
And, as he mounts, still brighter glories shed ;

When, at their noontide height, his fervid rays
In a bright deluge burst on Cairo's spires,
With what new lustre then thy beauties blaze,
Full of the God, and radiant with his fires.

To brave the tropic's fiery beam is thine,
Till in the distant west his splendours fade ;
There, too, thy beauty and thy fire decline,
With morn to rise in lovelier charms arrayed.

What mystic treasures in thy form concealed,
Perpetual transport to the sage supply !
Where Nature, in her secret plans revealed,
Awes wondering man, and charms th' exploring eye.

From thy prolific vase and fertile seeds
Are traced her grand regenerative powers ;
Life springing warm from loathed putrescence breeds,
And lovelier germs shoot forth, and brighter flowers.

Thus, from Arabia borne, on golden wings
The phoenix on the sun's bright altar dies ;
But, from his flaming bed refulgent springs,
And cleaves with bolder wings the sapphire skies.

Nor food to the enlightened mind alone,
Substantial nutriment thy root bestowed ;
In famine's vulture fangs did Egypt groan,
From thy rich bounteous horn abundance flowed.

Hence the immortal race in Thebes revered,
Thy praise the theme of endless rapture made,
Thy image on a hundred columns reared,
And veiled their altars with thine hallowed shade.

But far beyond the bounds of Afric borne,
Thy honours flourished 'mid Thibetian snows,
Thy flowers the Lama's gilded shrine adorn,
Brahma and Buddha on thy flower repose.

Where'er fair science dawned on Asia's shore,
Where'er her hallowed voice devotion raised,
We see thee graven on the glowing ore,
And on a thousand sparkling gems emblazed.

Four thousand summers have thy pride surveyed
Thy Pharaohs moulder in their marble tombs ;
Oblivion's wings the pyramids shall shade
But thy fair family unfading blooms !

Still 'mid these ruined towers admired, revered,
Wave high thy foliage, and secure expand,
These vast, but crumbling piles by men were reared,
But thou wert formed by an immortal hand.

With Nature's charms alone thy charms shall fade,
With Being's self thy beauteous tribe decline;
Oh! living, may thy flowers my temples shade,
And decorate, when dead, my envied shrine!

MENTAL ARITHMETIC.

IN the various departments of education, none is of more general use than common arithmetic, and yet none is so imperfectly taught in most schools. The badness of the systems, usually adopted, arises from the practice of teaching boys by rote, instead of first grounding them in the principles of the science. We are fully convinced that cyphering, as it is called, is generally commenced at too early an age, ere judgment has had time to expand itself; for the relations of numbers entirely depend on comparison, and no comparisons can take place without discernment, and that faculty of the mind is of slow growth. Hence it is, that many boys advance rapidly in classics, which are, in many respects, an affair of memory, while they are very backward in arithmetic. We will venture further to declare, that the science of numbers ought first to be taught algebraically, that is, by letters, and not by figures. Of late years, some excellent treatises have been published on what is called "ready reckoning," or the system of "mental arithmetic," by which, operations, pursued on the old plan, may be considerably abbreviated. These we propose to avail ourselves of in the present article.

Every one has heard of the famous calculating boys Noakes, Bidder, and Buxton, whose performances seemed miraculous. The two latter either could not, or would not, explain the modes of operation which they adopted, but the former did. From his statements it appears very evident, that the fundamental principles of mental arithmetic are certain standards, which must be carefully retained in the memory, and these may be applied to the rapid solution of an endless variety of propositions. Of this secret, we shall give two examples from the confessions of the boy Noakes, and we may as well observe in this place, that we can only afford space for a few examples under each head; but having given the rule, every one can extend it as he pleases.

Noakes was asked the following question. If a person has four children, to whom he gives, for pocket money, four pence per week to the eldest; three pence per week to the second; two pence per week to the third; and one penny per week to the youngest; what will the whole amount to in seven years? He answered, instantly, £15:4:2, and then explained to the audience his mode of thus "jumping to the conclusion." "While you were mentioning the pence," said the ingenious little fellow to the gentleman who proposed the question, "I found they amounted to ten, and instead of taking once a week for seven years, I took once a day for one year, so that I obtained 365, which is more correct than multiplying 52 weeks by 7, for that would have lost an odd week in the whole period. Then 3650 pence was the total; and as 3600 pence are £15, and 50 pence are 4s. 2d., the sum

must be £15 : 4 : 2." In this case the visible standard was clearly 3600, and we see how admirably it answered its purpose.

The following is an example of the mode adopted by young Noakes, to get rid of fractions. He was asked what 8000 pair of gloves would cost at 2s. 4½d. per pair. He said, in a moment, £950; and on being requested to state his mode of working the sum, he said, "I doubled the price to get rid of the fraction, and, therefore, took only half the number of gloves—say 4000 at 4s. 9d. Then I borrowed 3d. adding it to the price, and of course 4000 crowns are £1000, from which I repaid the 4000 threepences, or 1000 shillings, which are £50, and that left £950." This is a neat specimen of "ready reckoning," and will serve as a key to many useful exercises.

Persons in business, who deal in pounds and hundred weights, are often very expert in calculating the value of quantities of commodities. If the price be in pence per pound, a hundred weight is always reckoned at 9s. 4d., (that is equal to one penny per pound,) and that sum is multiplied by the actual price. Therefore, 7d. per pound is thus reckoned:

$$\begin{array}{r} 9s. \ 4d. \\ 7 \\ \hline £3 \cdot 5 \ 4 \text{ per cwt.} \end{array}$$

For an additional halfpenny, the sum of 4s. 8d. is added; and for one farthing, the sum of 2s. 4d. is added.—In other quantities, for which the price is stated in pence, the amount may be reckoned as if at one penny, and then be multiplied by the actual number of pence. The following will serve as examples:

72 lb. at 5½d. say at 1d.	£0 6 0	25 yards at 8d. say at 1d.	£0 2 1
	5½		8
	£1 13 0		£0 16 8
1680 at 11½d. say at 1d.			
now 1680d.=140 shillings.	£7 0 0	365 days at 2d. say at 1d.	£1 10 5
	11½		2
	£80 10 0		£3 0 10

There is a different, and we think a better, mode of working such sums as the last. In converting pence per day into their annual amount, it is useful to impress on the mind the fact, that, as many pence as there are per day, there will be so many pounds, half pounds, and five-pences in the year. The principles of this operation will be understood with very little attention. Suppose, for a moment, that there are exactly 360 days in the year, now since there are 240 pence in a pound, and since 120 added to 240 make 360, the relation between pounds and half pounds and the days of the year, when the conversion is to be made of pence, is clear: and, after having proceeded thus far, it is easy to reckon for the five surplus days. Take a case: you hire a man at 2s. 6d. per day; what is that per annum? Proceed thus in the mind: 2s. 6d. is thirty pence: call them thirty pounds; that would be the wages for 240 days; add the half of thirty pounds, or fifteen pounds; that would be wages for 120 days; thus we have £45

for the wages of 360 days : and of course we must add five half-crowns or 12s. 6d., to make up the annual wages of 365 days. Or thus :

At 2s. 6d. per day.	
For 240 days,	£30 0 0
120 days,	£15 0 0
5 days,	£0 12 6
per annum,	<u>£45 12 6</u>

Again,—at 6d. per day,	
For 240 days,	£6 0 0
120 days,	£3 0 0
5 days,	£0 2 6
	<u>£9 2 6</u>

When the price of an article is stated in shillings, the amount may be reckoned as if at one shilling, and then multiplied by the actual number. Thus :

120 gallons at 6s. say at 1s.	£6 0 0
	6
	<u>£36 0 0</u>
80 lb. at 5s. 6d. say at 1s.	£4 0 0
	5½
	<u>£22 0 0</u>

300 gls. at 12s. 6d. say at 1s.	£10 0 0
	12½
	<u>£125 0 0</u>
365 days at 3s. say at 1s.	£18 5 0
	3
	<u>£54 15 0</u>

But if the daily amount be a low number of shillings and odd pence, it is best to take all as pence. Thus, at 2s. 1d. per day, say :

Value for 240 days,—25 pounds,	=	£25 0 0
120 days,—25 half-pounds,	=	£12 10 0
5 days,—25 five-pences,	=	£0 10 5
365 days.		<u>£38 0 5</u>

One of the readiest modes of calculating prices and quantities, is the invention of Mr. Macaulay, an eminent teacher of mathematics at Liverpool. We subjoin a few of his examples, and will endeavour to make them intelligible at once, by pointing out the standards to be observed by the young beginner. For instance, the price of one ounce being given, to find the value of one pound. The standard to be remembered in this case, is the fact, that, at a farthing per ounce, a pound would cost one third of a shilling. Therefore, consider the farthings in the price per ounce as so many shillings, for a moment, but divide them by three. The following will serve as examples :

1 lb. at 3½d. per oz. that is 15 farthings.	1 lb. at 11½d. per oz. that is 47 farthings.
say 3) 15s. 0d.	say 3) 47s. 0d.
5s. 0d.	15s. 8d.

The price of a pound being given, to find the value of a hundred weight. In this case the standard is, that 48 farthings are one shilling ; and therefore, that if the quantity to be reckoned were 48, the farthings in the price of one would be exactly equal to shillings for the whole. Consequently, 48 at three farthings, would be 3s.; at 9d. it would be 36s.; and so on. But a hundred weight (112 lb.) is equal to 48 and 48 and a third of 48 ; and therefore, the shillings arising from the farthings must be increased in proportion. 112 lb. at three farthings, would require the 3s. representing 48 lb. to be thus increased :

for 48 lbs. ..	3s. 0d.
48 lbs. ..	3s. 0d.
16 lbs. ..	1s. 0d.
<u>112 lbs.</u>	<u>7s. 0d.</u> per cwt.

The reader will at once see, that this works on a principle very similar to that by which we explained the wages of a year in former examples. But we shall add two more for the sake of making it plainer.

	s.	d.		s.	d.
112 lb. at 7½d.	30	0	112 lb. at 5½d.	22	0
	30	0		22	0
	10	0		7	4
<u>£3 10 0</u>			<u>£2 11 4</u>		

The price of a pound being given to find the price of a ton, or twenty hundred weight. The standard here is the fact that, as a ton is twenty hundred weight, and a pound is twenty shillings, so the last rule must be observed exactly, except that the price of a ton will be pounds, as the price of a hundred weight was shillings. Thus :

1 ton at 1½d. per lb.	7	0	0
	7	0	0
	2	6	8
	<u>£16</u>	<u>6</u>	<u>8</u>

To find the price of a package, or sack of 240 lb., one of the great standards is resorted to, to wit, that 240 pence equal one pound ; but, to suit fractions, take the farthings in the price of 1 lb. as pounds, and divide the sum by four.

A package at 2½d. per lb. (or 10 farthings) say	4) £10 0 0
	<u>£2 10 0</u>

Or, 240 lb. at 2½d. are	£2½, or £2 10 0
3½d. are	£3½, or £3 5 0
5½d. are	£5½, or £5 15 0

To ascertain the price of a pound from the cost of a hundred weight, multiply the cost in shillings by three, and divide the product by seven ; or, first divide by seven, and multiply by three, and the result will show the price of a pound in farthings. Thus : at £3 10s. per cwt. the price of 1 lb. will be :

70	Or thus, 7) 70
3	
<u>7) 210</u>	<u>10</u>
	3
30 farthings, or 7½d.	<u>30 farthings.</u>

This looks almost magical ; but by the time the learner understands the preceding modes of operation, he will be able to trace the connection between 3 and 7, as he has done between 48 and 112, and will recollect that sixteen pounds are the seventh part of a hundred weight, and that as many farthings are the third part of a shilling.

The following is a ready mode of reducing hundred weights into pounds.

Multiply 4516 cwt. by 112.

$$\begin{array}{r} 54192 \\ \hline 505792 \end{array}$$

In this case the only multiplication actually performed is by 12, to produce the lower line, for the placing of that line two figures to the right, is equal to adding two cyphers to the upper line, which is as effective as multiplying by 100.

In like manner, when the multiplying factor is within twelve of 100, 1000, &c. (over or under) add or subtract, as the case may be, the amount produced by the odd figure only, the round numbers being obtained by adding or imagining the requisite cyphers. This will afford amusing and instructive practice to beginners. The above example was 12 above the round number; let us now take one which is 12 below.

Multiply 7854 by 988.

$$\begin{array}{r} 94248 \\ \hline 7759752 \end{array}$$

Here the multiplicand is first supposed to be multiplied by 1000, by the imaginary addition of three cyphers, and then twelve times the first number is subtracted.

When the multiplying factor lies between 12 and 20, the following process is sufficient. Multiply the following:

$$\begin{array}{r} 7543 \text{ by } 13 \\ 22629 \\ \hline 98059 \end{array}$$

$$\begin{array}{r} 9875 \text{ by } 17 \\ 66625 \\ \hline 159375 \end{array}$$

$$\begin{array}{r} 4007 \text{ by } 19 \\ 36063 \\ \hline 76133 \end{array}$$

When the multiplier is 21, 31, 41, &c. let the original figures answer the 1, and multiply by the 2, 3, or 4, setting down the figures one place to the left.

Multiply 7854 by 41

$$\begin{array}{r} 31416 \\ \hline 322014 \end{array}$$

The following ingenious mode of squaring numbers, or multiplying a number into itself, is the invention of young Noakes, to whom we have already alluded. To simplify the calculation, he always obtained a cypher to begin with, by reducing the odd figure in one instance, and increasing its corresponding number. If he had to square 54, for instance, he multiplied 58 by 50, and then added the square of four: thus:

$$\begin{array}{r} \text{To square 54. } 58 \times 50 = 2900 \\ 4 \times 4 = 16 \\ \hline 2916 \end{array}$$

$$\begin{array}{r} \text{To square 76. } 82 \times 70 = 5740 \\ 6 \times 6 = 36 \\ \hline 5776 \end{array}$$

These examples of abbreviated arithmetic are of a practical value, and we feel sure that every tradesman, who will exercise a little patience

in grasping the principles on which they are founded, will soon find their utility in practice. We are tempted by the occasion, to exhibit a few of the curiosities of arithmetical combination, which may amuse a young beginner, though of course they are of no use in the counting house.

It is a principle long known on the Continent, (its discovery is attributed to the celebrated Leibnitz,) that if any number of figures be set down in a line, and another line be formed of the same figures, in any order, the remainder, after subtracting one line from the other, will be divisible by nine without a remainder. For instance:

$$\begin{array}{r} 792185 \\ 219763 \\ \hline 9) 572382 \\ \hline 63508 \end{array}$$

The experiment is usually made with the figures exactly reversed; thus:

$\begin{array}{r} 3571 \\ 1753 \\ \hline 9) 1818 \\ \hline 202 \end{array}$	$\begin{array}{r} 831742 \\ 247138 \\ \hline 9) 584804 \\ \hline 64956 \end{array}$
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But if there are only three figures in a line, and exactly reversed, the remainder will not only be divisible by 9, but the quotient itself will be divisible by 11 without a remainder; or the remainder may be first divided by 11 and the quotient by 9.

<p>Thus,</p> $\begin{array}{r} 792 \\ 297 \\ \hline 9) 495 \\ \hline 11) 55 \\ \hline 5 \end{array}$	<p>Or thus,</p> $\begin{array}{r} 792 \\ 297 \\ \hline 11) 495 \\ \hline 9) 45 \\ \hline 5 \end{array}$
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The discovery of the answer, or result, may be ascertained at a glance, for it is visible without the least operation, by merely subtracting the first figure of the lower line from the first figure of the upper line. Thus:

<p><i>a</i> 831 <i>b</i> 138 $\begin{array}{r} 9) 693 \\ \hline 11) 77 \\ \hline 7 \end{array}$</p>	<p><i>c</i> 543 <i>d</i> 345 $\begin{array}{r} 11) 198 \\ \hline 9) 18 \\ \hline 2 \end{array}$</p>
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The difference between 8 and 1 at *a b*, is, of course, 7, which agrees with the result. The difference between 5 and 3 at *c d*, is 2, which corresponds with the answer.

The division of a number, specially arranged, by 11, furnishes some amusement to a tyro. Tell a learner to put down any two numbers in

a line; observe that the larger number must be considered as the *body*, and the smaller one as a *wing*; then dictate to him to put down such a figure on the other side of the body as may make the two wings equal in amount to the body. For instance, if he writes down 24, a figure 2 must be placed to the right of 4; if he write down 42, a figure 2 must be placed to the left of 4, and on being divided there will be no remainder. Thus :

$$\begin{array}{r} 11) 242 \\ \underline{22} \end{array}$$

or take 69

$$\begin{array}{r} 11) 693 \\ \underline{63} \end{array}$$

Here also we see the result at once, for the quotient in all cases will be the same as the wings.

We shall give one more curiosity in the combination of numbers. If a pupil desires to see a sum in multiplication, the product of which shall contain several figures, but all alike, tell him to set down all the digits except the 8, and if he would like the product to be all units, let the line be multiplied by one 9. Thus :

$$\begin{array}{r} 12345679 \\ \times 9 \\ \hline 11111111 \end{array}$$

If a product of all twos be required, then multiply the line by two nines or 18: if of threes, then by three nines or 27, and so on, until multiplying by nine nines, or 81, he will have a product containing all nines, and nine of them. Thus :

$$\begin{array}{r} 12345679 \\ \times 81 \\ \hline 12345679 \\ 98765432 \\ \hline 99999999 \end{array}$$

Mental arithmetic is practised with great advantage in the Edinburgh Sessional School, and the last report of that institution gives the most gratifying account of the progress of the pupils. Three or four of the cleverest boys are said to have calculated, mentally, and pronounced correct answers, in twenty minutes, to one hundred and forty-seven questions, put to them out of a ready reckoner, by a visitor who attended the examination.—We hope this subject will meet attention from the conductors of our local schools, by which they will save themselves much irksome labour, and advance the attainments of their scholars.

PROOFS AND ILLUSTRATIONS OF THE ATTRIBUTES OF GOD.

By JOHN MAC CULLOCH, M. D., F. R. S., F. L. S., F. G. S., &c.—3 vols., 8vo.

In our last number, we published a brief memoir of this distinguished philosopher, whose profound researches, while they reflect honour on Guernsey, the place of his birth, are destined to secure for his memory a

European reputation. The style of his writing is somewhat involved, and occasionally obscure, and this defect seems to have proceeded from a desire of condensing his matter within the smallest possible compass. He did not sufficiently appreciate the Horatian precept : "*Brevis esse laboro ; obscurus fio ;*" and this is the more to be regretted, as the subjects on which he treats are, from their very nature, not calculated to arrest the gaze of vagrant curiosity, and therefore require all the winning graces of art to fix attention, and invite perusal. This defect, however, chiefly applies to the commencing chapters of the work, for when our author enters on his *affirmative* proofs and illustrations, the style becomes lucid, flowing, and harmonious. The present publication, moreover, being a posthumous work, and not having had the benefit of the writer's revision, when passing through the press, criticism naturally becomes indulgent to these minor deficiencies, which weigh but as dust in the balance, when compared with the vast erudition, the unanswerable logic, and the extensive accumulation of facts, which pervade the pages of this invaluable work.

The volumes are dedicated to the Archbishop of Canterbury, whose encouragement and approbation principally induced Dr. Mac Culloch to persevere in the completion of this laborious undertaking. They were finished in the spring of 1830, and were intended for publication in the following year ; but the announcement of the Bridgewater Treatises delayed their appearance. In obedience to the last desire of the lamented author, they have now been presented to the public ; and no one who studies them, with the attention they merit, but will readily admit that they form one of the noblest intellectual legacies philosophy ever bequeathed to truth.

Dr. Mac Culloch has divided his argument under two distinct heads ; the former containing the negative proofs, the latter embracing the affirmative proofs, of the existence and attributes of the Deity. In the first section, we do not find any set of passages for excerption that would please the general reader ; the links of the chain being so closely united, as to render their separation almost impossible, and certainly very injudicious. Besides, there is a philosophical liberality, and a high-toned manliness in his replies to "Systems of Atheism," which cannot be understood by the multitude, whose intolerance blinds their faculties, and who mistake worldly persecution, for piety and religious zeal. For these reasons, we abstain from extracting from the "negative proofs," and shall proceed at once to the "affirmative proofs," observing, at the same time, that the student ought to peruse Dr. Mac Culloch's remarks on the philosophy of the Greeks, and his brief criticism on the famous axiom of Des Cartes, and the Lamarckian System of Appetencies.*

In the chapter on the "Creation and Progressive Changes of the Earth," our author refutes the doctrine of the eternity of the globe, by arguments drawn from geology. The following quotations will show his mode of reasoning on this branch of his subject :

"It has been said, even in remote antiquity, by some who have argued against the eternity of the earth, that as we see in it, as in all nature, not only a tendency to decay, but absolute marks of waste or wear, so ought we to infer that it had a commencement. The argument is mathematical ; —it may be considered as depending on the continuous summation of infinitely small parts, or as an arithmetical progression. Or, an earth, of which the daily or annual waste is assignable, must have been utterly wasted, had it commenced (the term is inaccurate, but intelligible) in eternity. This argument has all the weight which a mathematical one must possess when it is sound in all its parts and assumptions ; and which such

* In Lyell's *Geology*, vol. ii. p. 326, et seq. the doctrine of Lamarck is beautifully explained and refuted. 3d ed.—We recommend it to the reader.

arguments do often carry, unfortunately, when they are worthless or false, because some essential element of the calculation has been overlooked, or a wrong assumption made. In this case no note is taken of a possible power of perpetual renovation; of that, in reality which does exist, but was not known to those who thus reasoned. Yet, whatever may be the opposed value of this principle of renovation, the general assertion demands proof in itself, before we can make it an element of calculation; or the obvious waste may not be a waste of continuous progression." pp. 10, 11. vol. i.

Dr. Mac Culloch then observes that geology was not understood by the ancients, and their ignorance of the science thus induced them to adopt opinions not accordant with rigid demonstration. He then propounds his own mode of reasoning, in the following passage :

"If the present argument is derived from the same general view of the waste of the earth, it proceeds differently and extends its researches much further back. That its general bearing may be comprehended, before entering on the details which might distract the reader's attention, if it shows that the earth will gradually expire through its visible waste, so it traces backward to the commencement of that life, defining, therefore, what the other could not. But it does not stop here ; since it shows that this life sprung out of a former death, similarly the termination of another long period of life, the commencement of which also it undertakes to prove. And further, continually retroceding, it shows that each anterior earth, as far as it can trace any, was less various in materials, or contents, than each following one, successively ; whence by a method of exhaustions, it draws the general inference, that the first term in this series of diminishing values must have been the actual creation of the globe of the earth, from materials which were not, at least, an earth, if not by an act of immediate volition on the part of the Deity."

"Before the circulation of the waters commenced, no alluvial lands, and scarcely even soil, could have existed ; because these have been produced by the operation of water. It was, therefore, an earth of naked rocks and sea ; remaining also to be filled with life ; a state anterior to the history of "Creation." Geology shows that the rocks of this earth, which we may call our own, had been brought up from the bottom of the ocean, at some unassignable period, by means of subterranean forces, which it indicates with considerable certainty. It further proves that these had been consolidated from the fragments of former ones, deposited under that sea ; or, perceiving that the same thing is now happening from the waste of our own earth, it infers, with all the security that can be attained in physical investigations, that the earth, which thus preceded our own, was a similar structure of land and sea, with mountains and with rivers, or with a system for circulating the waters of its ocean ; and that it had continued to exist for a certain period, commencing, exactly as our own earth had commenced, in a terraqueous globe of mere rocks and water, wasting, or wearing, as our own wears, and, at a certain period of that waste, subverted, for the purpose of renovation, in the form which it now possesses, or did possess at the commencement of its present condition." p. 133.

Dr. Mac Culloch then exhibits the argument under a different, and more condensed, mode of illustration.

"In another, and simpler form, it may be stated thus.—There are two parallel progressions,—life, and the means of life,—united, and mutually dependent. We trace backwards, through successive renewals, which are creations, because absolute renewal was, in this case, necessary, the first creation of life, or its absolute creation. It is a series, as I may call it, commencing in unity. We also trace backwards through successive renewals, which are not creations, because creation was not necessary, a parallel, or diminishing series, in the means of that life, or in the nature of the earth. We arrive, successively, at those terms of the series, in this case, which may be expressed by 4, 3, 2. Is it not probable there is also the term 1, if we could find it, or that term which would express the actual creation of the globe ?" p. 135.

Our author then cursorily notices the various changes which have taken place in the structure of the earth, and the different layers or strata which are superimposed, one on the other, requesting the reader, as he advances, to bear in mind the enormous periods of time required for these successive mutations, which he truly says, "are beyond the reach of the human faculties." He thus closes this section of his argument :

"The general inference ought now to be apparent. The earth, as we know it, is not eternal, above all, it is not eternal under any solid or useful form; useful, as applicable to its ends, for the place of life. It has been created in time, and within a time not such as but we can, in some manner, conceive its commencement. And if animals are considered to have been created when they first came into existence, then also was the earth created, when it first became a fluid and tangible body, or else, when it first became a defined gaseous sphere. Either analogy may be taken, as philosophers please; but, in strict conformity to the term creation, as applied to animals, it is the former view which is the just one; since animals are, essentially and ultimately, created from gas, as the solid earth was. But, if the rigid metaphysical sense of this word is to be adopted, we must go, perhaps, even further back than the sphere of gas, while, at this point, all is, to us, as nothing. And thus does this view comprise both the design of the Deity in the creation of the earth, although the continuous design, to its present condition, would demand a far larger history." p. 144.

The next chapter treats "On the Disposition of the surface of the Earth," from which we shall extract the author's remarks on mountains; premising that Burnet, in his "Theory of the Earth," maintained that the paradisaical state of the earth must have been that of an uniformly level condition, to the exclusion of mountains, which he thought were one of the physical consequences of original sin. This idle assertion is thus disposed of:

"To point out the value of a river, or of a system of rivers, is superfluous. But let it be remembered, that but for that design which planned and raised a system of mountains, Egypt would be without its Nile, a barren, uninhabited desert; that the interior of English America would, now, and, perhaps, for ever, be a wilderness of forests and marshes, (if it were even that,) inhabited by wild animals, and by men without civilization, or the hope of it; that the wealth of commerce, with its enormous effects in the general improvement of man, would have been as nothing, compared to what it now is; and that, without the power, which rivers and their results give to internal, as well as to external, communication, even the agricultural affluence which now exists, would have been cramped within very narrow bounds. The canal, itself, is dependent on the river; and, but for the mountains of Switzerland and Germany, Holland and its wealth could scarcely have had an existence. And for all this, as for far more, the earth, man is indebted to what has been thoughtlessly esteemed a deformity on that earth's surface; and, further, to that subversion or destruction, which, while deemed by the same persons a result of the divine vengeance, an act of punishment, a pure and unmitigated evil, is not less striking as an act of wisdom and beneficence than of incomprehensible power." p. 153.

The next chapter contains a "General View of the Animal and Vegetable Structures and Functions." Dr. M. commences this section with a description of the nutrient system, chemical and mechanical, from which he proceeds to the circulating system, in which he particularly notices some of the more remarkable phenomena of the blood, the heart, and the glands. Of the nervous system, he observes, that we are still ignorant, and declares that all that relates to its philosophy, physiology, and interior anatomy, is involved in impenetrable mystery. He says that similar obscurity exists with regard to the vegetable creation, as to the animal creation.

The next chapter explains the "Mechanical Structure of Animals," from which we shall make some highly interesting extracts.

"A muscle, popularly termed flesh, consists of fibres, sometimes collected into bundles, and attached, in different modes, at each end, to the two parts which are to be approximated. He who will bend the elbow, and lay his hand on the inner part of the upper arm, will feel that it enlarges, and becomes hard. This is the contraction of that muscle; which, being fixed to the shoulder, at one extremity and to the upper part of the fore-arm at the other, produces the effect in question, by approximating those two points. Such is the principle of all the animal motions; the will being the remote moving force, yet without knowing what it does; as some, yet mysterious influence, transmitted through a nerve, is the immediate one." p. 211.

"To pass from purely mechanical contrivance in muscles, there is one great and wide example of resource in the muscular system, which it would be unpardonable to omit. It can scarcely be termed mechanism, though the attained end is a mechanical one; it is the surmounting of a difficulty which would have been hopeless to the most ingenious of human mechanics.—Were the trunk and the hinder extremities, alone, of a horse, or other quadruped, given to such an artist, and he were desired to supply a foundation for the anterior ones, how would he betake himself to it? The ribs offer no base; and still more would he despair, when he examined the firm foundation provided for the hinder legs, since he must feel that it was his business to provide another scarcely less firm. Yet is this effected as easily as it is securely, and without bone or joint. Speaking as a mechanic, I might almost say that the foundation of the anterior extremities is on nothing, the weight of the body borne by nothing; for the matter of the muscles does not give the support. The foundation is in muscular power; on spirit rather than on matter. There was a difficulty to be overcome, because a firm and bony base was incompatible with the other offices of the trunk at this part. But the Creator knows no difficulties; the inconvenient bone is dispensed with; and a soft and tender mass, apparently incompetent to such a task, performs this duty." p. 214.

Pursuing the same subject, our author observes, that, from the familiar fact of a table standing on four legs, men are led to the general impression rather than belief, that a quadruped possesses the same kind of solid stability. But this cannot be, for were it of such a nature, the shock of a horse, coming to the ground in a leap, would split or break some of his bones. On the wonderful contrivance of the Deity, to prevent these fatal effects, Dr. M. gives the following illustrations, among many others:

"The construction of the foot of a horse is one of the most ingenious and complicated pieces of mechanism in the animal structures, scarcely yielding to any but that of the *bees*, in regularity, and in complexity of parts under simplicity of design. The hoof contains a series of vertical and thin laminae of horn, so numerous as to amount to about five hundred, and forming a complete lining to it. Into this are fitted as many laminae belonging to the coffin bone; while both sets are elastic and adherent. The edge of a quire of paper, inserted, leaf by leaf, into another, will convey a sufficient idea of this arrangement. Thus the weight of the animal is supported by as many elastic springs as there are laminae in all the feet, amounting to four thousand; distributed in the most secure manner, since every spring is acted upon in an oblique direction. Such is the contrivance for the safety of an animal destined to carry greater weights than that of its own body, and to carry those also under the hazard of heavy shocks."

"There are many birds which sleep on the branches of trees; and these offer but a narrow base to animals of such construction. Did the claw not embrace the branch closely, they would fall off; and this could not be done by the action of muscles, since these are inactive during sleep. The expedient adopted to correct this defect is as simple, as it is ingenious. The flexor tendons of the claws are made of such a precise length, that when the upper joints are bent by the weight of the body, those parts close of themselves, and the firmer as the inertness of sleep causes it to weigh harder on the limbs. This construction was not necessary for the other purposes of the animal; fulfilling this alone, we cannot doubt that it was intended. It is a refinement on this beautiful invention, that in the stork, which can sleep on one leg, there is a more gratuitous contrivance, as if adopted for no other purpose than to demonstrate the resources of the Artist, since there is no apparent reason why the birds of this construction should not have slept on two legs, like other fowls, unless it be that the support is firmer, when all the weight rests on one. In this case there is a peculiar projection in the metatarsal or hock joint, by which a sort of partial dislocation is permitted, so that the bird is enabled to stiffen the limb at will. This confers the exact security required; and when the use is no longer needed, the joint is replaced by a peculiar exertion of the muscles."

"The gannet is destined to feed on the fishes which swim beneath the surface of the water; not, like the gull, on those which frequent or approach it. And being unable to swim under water, as the divers do, in pursuit of its prey, it plunges from aloft into the sea, and with such force as to sink thirty to forty feet or more. Such are the velocity and weight, that the blow would probably kill the animal, were it

not for a contrivance, forming so singular an exception to the universal structure, that we can neither question the design nor avoid admiring the invention. The skin of the breast is detached from the body, except along the ridge of the sternum, and the animal has the power of inflating it, so that the body becomes inclosed within a temporary bladder, the elasticity of which prevents that shock which would otherwise be deadly. And this contrivance serves also as a buoy to bring the bird and its prey up to the surface ; since, at the depth to which it sinks, and without the power of submarine swimming, it would otherwise be drowned."

"The mouth of the whale is less known, and it offers an instance, equally of ingenuity and foresight, together with what is always striking in these investigations, peculiarity or unexpectedness, since it has not exact analogy, either in the contrivance, or the use. Comparing it to human inventions, it is a shrimping net; while no one could have divined that the largest animal of creation should have been commanded to seek its food among the smallest; that millions should be daily destroyed to support one life. So, however, has it been ordered; and had the whale been condemned to swallow all the water which it must draw into its mouth, together with its prey, the inconveniences which would have followed are obvious. To prevent this, it is provided with a singular piece of machinery, consisting of a series of flat hoops, meeting from both sides of the mouth into arches, and carrying ranges of bristles, which form a strainer, and also a kind of net. The water is thus rejected, and the mass of shrimps is delivered to the throat."

"In a very different department of animal life, the egg presents a very ingenious piece of mechanism, yet constructed from such materials, that, although we could easily have suggested the mathematical principle, we should have decided that the execution was impossible. The embryo of the chicken is always a point; and, on whatever side the egg may lie, it is always uppermost, because it was necessary that it should be exposed to the greatest heat of the sitting parent. The simplicity of the machinery cannot be exceeded, and the effect is perfect. We are ready to decide that it could have been attained in no other manner; limiting the Creator by our own narrow knowledge, and ever forgetting that we know nothing but what he has taught us. The yolk is a sphere, moving on an axis, and floating in the white; and he who should desire that a sphere might always present one point of its equator uppermost, would make its axis eccentric. Such is the mechanism of the egg; and every one can examine and verify it." p. 237.

On this same subject, our author, in another passage, makes the following remarks, which we cannot omit inserting. He says:

"I allude to the horny beak of a chicken, with which it is supplied for the purpose of breaking the shell to procure its release, and falling off a few days after the birth. Truly was it said, that even a sparrow was an object of the Creator's care; and literal must be that truth, when, for this senseless and unborn creature there has been made a provision so peculiar and minute, the want of which would have rendered all other cares useless. And does He not also watch over the life which He has thus wrought for? If He does not, where does that care cease, or why should the power that has thus cared that it might produce a living and enjoying animal, abandon it when the end is not even attained! To assert this, would be very inconsequential reasoning in any other case; and yet it is the reasoning of those who deny the providence of God."

The next chapter is entitled, "On Variations, for special ends, in certain parts of the Animal Creation," in which Dr. MacCulloch proposes to exhibit and prove a designer executing his purpose under a wider plan; adhering to a general intention, but modifying the details so as to meet peculiar exigencies. We shall extract examples from this chapter, without exactly following the arrangement of the author, which would not suit our limited space:

"There is no obvious reason, at first sight, for the great difference between the foot of a horse and an ox, but when we examine their separate destinations, the perfect adaptation of each construction becomes apparent. The horse was intended for hard ground and rapid motions; and the hoof is constructed accordingly, answering its end perfectly in the state of nature, and serving that purpose under domestication also, better than is generally believed. The place of the ox was to

be in meadow lands and in river banks; its destiny to tread on soft grounds; and equally is this provided for in the divided and spreading hoof, and in the dew claws. A horse sinks where an ox of greater weight can feed in safety. . . . The foot of the camel, reversely, is a broad, elastic, and soft cushion, perfectly adapted to those sands which every other peculiarity, in its construction shows to have been its intended dwelling place. The rabbit was destined to dig and burrow; but it was also to be enabled to run with considerable velocity. For these purposes, its fore legs are short and strong, with a powerful hand; while the long metatarsal bone is rendered a foot to rest on, as it is a leg for running. . . . Where digging without running was required, we find the singularly beautiful hand of the mole. The legs are, all, extremely short, because longer ones would have been inconvenient, as well as useless; but there is a peculiarly shaped humerus, with a flat and long carpal bone, which, while the hand is enlarged in breadth, allows the palm to be turned outwards; the body is so formed as to offer the least possible resistance, while free from all protuberances; and the density and smoothness of the coat render it as slippery as oil, while preventing it from lodging earth and sand. The eyes can be so withdrawn beneath the skin, as to be invisible, and thus to evade injury where they are useless; as their only use seems to be to give warning that the boundary of safety has been passed. And, lastly, the singular shape and sharpness of the snout, while it forms a species of wedge, allows the animal to pursue its active prey into that hole which it forms so rapidly. . . . The contrivance in the foot of a cat is oftener seen than remarked; the wants of the animal demanded a hand to seize, like the eagle; and this was to be combined with a foot for walking. Superficially viewed, the foot of the cat and the dog are similar, and both walk on the ends of their toes. But though the dog's foot had been more flexible than it is, the wearing down of the claws by walking would have prevented it from securing an object. To protect those in the other animal, the last joint of each toe is reversed, when the foot is at rest or used for walking; being brought forward, with its long claw, when used as a hand for seizing, and returned to its place by an elastic ligament."

Dr. M. then passes on to the feet of birds :

"If the most general purpose is that of walking on ordinary ground so is the basis of this contrivance familiar, in the domestic fowl and other birds. But a considerable change is made, when it becomes necessary to climb trees, as in the woodpecker, and others. In these cases, two of the claws, instead of one, are directed backwards, and thus a support in this difficult position is obtained; while the foot of the parrot thus becomes a hand also. And the power of turning the outer toe backward or forward, appears intended to give equal facility in roosting or seizing; while we see the utility of this double power very strikingly in the owl. The talons of the falcon tribe are rendered hands by furnishing the toes with long and curved claws. In the swimming birds, these are so connected by the web, that they become paddles, and thus are enabled to perform a double office. The length of leg, and the bareness above the hock joint, in the wading birds, is a variation for the sake of those which do not require to swim, or could not, because their prey lies in shallow waters. It is not a contrivance, but a peculiar application to find that the sea birds which lay without a nest, on smooth rocks, use the foot as a hand, to retain their single egg, in rising, lest their long wings should sweep it into the sea."

Dr. M. notices the mouth, and makes the following remarks on teeth :

"To pull asunder the parts of animals, more than cutting teeth were required, as grinding was unnecessary. Any one could have determined on the necessity of pointed teeth; and accordingly we find them. The cat tribe displays this form in perfection; the teeth hold, as well as tear; in the dog and its congeners there is the same structure, under some variations. Man, it has been remarked, possesses all the three varieties of teeth; and thence have been drawn conclusions which I need not repeat. The uses of the cutting and the grinding ones are evident; but the pointed ones seem to belong to that analogy of structure which pervades whole races of different animals very widely, though the parts are of no use. Purely prehensile teeth are best seen in the fishes and the serpents; they seize the prey that it may be swallowed, but do not tear; as, where nothing more was required, there are no others. The variations, however, are numerous, and often very beautiful; very especially so in the shark, where they form that platform of hooks, so well known. In other fishes, they are often such as to resemble a wool

card. They occur, further, not in the jaws alone, but in the palate, and even in the throat : so as to ensure the passage of the prey downwards and to prevent its return, as the cone of a mousetrap does ; while in the shark tribe, there is a perpetual succession of young ones, enlarging and advancing from behind, as the front one wears out."

The next chapter treats on "The Dispersion of Seeds," which we are told is executed in six different ways. No passages present themselves well adapted for excerption, for the whole is so closely linked together, that no single extract, standing alone, could be understood. We may, however, notice one fact, not, we believe, generally known, to wit, that, in some instances, such as the ash, the lime, and the fir, the seeds are provided with wings, better to take the advantage of the transporting currents of air.

We proceed to the next chapter, "On the Systems designed for Clothing the Earth with Plants." Here we have explained some of the most wonderful phenomena of production and decay, showing that the death of one plant is the life of another, and that one family of vegetables is the pioneer and precursor to another, of a superior nature ; each retiring in succession, as it has contributed to place a better race on the same soil ; and from which we learn that vitality, under some modification of form, pervades every part of the inanimate creation. First in the order of date of the vegetable kingdom, are the lichens, which grow on barren rocks, without any mould whatever, on which wonderful phenomenon Dr. M. makes the following most interesting remarks :

"It is a general law for plants, that water is essential to their existence, and that, deprived of this, once dried, they are irrecoverably dead, though many have been enabled to retain it with almost miraculous obstinacy, under the most unfavourable circumstances. But had this law involved the lichens, it would have been fatal to their appointed duties ; while their bulk and structure are commonly such as to have rendered the retention of moisture almost impossible. Exposed to a burning sun, on naked rocks, and without the means of resisting its influence, they are often so dried as to crumble at a touch ; while this condition is sometimes of daily occurrence. Their very races might have been exterminated ; but the Creator never leaves his work imperfect. He has made an exception to the general law ; the principle of life is not withdrawn, and they are ready to revive and resume their functions at the slightest return of moisture. Nothing but unbounded power could have effected this, as unbounded wisdom planned it. It is a fact that wars against our very definitions of life ; for it is life in a dormant state ; inactive, and incapable of acting, yet continuing attached, and waiting to recommence its actions, when the instruments through which it acts shall again be serviceable. It is the mystery of the seed ; it is, perhaps, even a greater mystery. And if that dried lichen can preserve its principle of life for months or years, as it is known to do in our cabinets, who shall say when that can depart, where no organic change is taking place, and no chemistry acting ? It is an immortality ; but it is an immortality to teach us how rashly we decide, when we pronounce on what shall be, or what cannot be effected." p. 299.

We have now merely glanced at one half of the first volume of this admirable work, but we think that we have shown enough to render these "Proofs and Illustrations of the Deity" a desirable addition to every library, both in a religious and a scientific point of view. Our limits do not allow of a more extended notice in this number of our publication, but we shall resume the subject again on another occasion, feeling confident that, in so doing, we shall meet the wishes of our readers.

SCHILLER'S WILLIAM TELL.

(Continued from page 287.)

SCENE III.

From an eminence in the back ground, workmen are employed in the erection of a fortress, which is already so far advanced as to exhibit the form of the intended whole. The part turned from the stage is finished, but not the front; workmen are seen ascending and descending the unfinished side of the building. The slater is covering the roof, and all are busy and in motion.

Overseer of the Works—Master Mason—Labourers, &c.

OVERSEER.

(*Urging on the workmen with his baton.*)

Come, ply the work! ye rest too long, be brisk!
The stones, the carts with lime and mortar hither,
That when the Governor comes he may perceive
The work advanced! quick, crawl not thus like snails!

(*to the labourers with loads.*)

What, call ye that a load? double it quickly!
How the vile vagabonds flinch from their duty!

FIRST LABOURER.

But is it not too hard that we ourselves
Should bear the stones for our own keep and dungeon?

OVERSEER.

What matter ye? These people are so worthless,
Fitted for nought save milking their own cattle
And rambling idly o'er the mountains.

OLD MAN. (*resting.*)

I can no more.

OVERSEER. (*shaking him.*)

Come, old man, to your work!

FIRST LABOURER.

Have you no bowels of compassion, then,
That thus ye force to hardest vassal-labour
This poor old man that scarce can drag himself?

MASTER MASON AND HIS MEN.

Indeed, indeed, it cries aloud to Heaven!

OVERSEER.

Look to yourselves, I merely do my duty.

SECOND LABOURER.

What is the fortress to be called which we
Are building here?

OVERSEER.

Its name will be Force Uri
For 'neath this yoke shall you be bowed.

LABOURERS.

Force Uri?

OVERSEER.

Well, what's there in that to laugh at?

SECOND LABOURER.

How, with this puny house subdue all Uri?

FIRST LABOURER.

We'll see how many mole-hills such as this,
Piled on each other, it would take to raise
A mountain like the smallest height in Uri:

(*Overseer retires to the back ground.*)

MASTER MASON.

Into the deepest lake I'll fling the hammer
Which I have used in this accursed building!

Enter TELL and STAUFFACHER.

STAUFFACHER.

O that I ne'er had lived to witness this !

TELL.

'Tis not well to be here—Let us pass on.

STAUFFACHER.

Am I in Uri, in the land of freedom ?

STONEMASON.

O, were ye but to see the cellars, Sir,
Under the towers ! Aye, he that tenants them
Will never hear the cock's loud call again !

STAUFFACHER.

O God !

MASON.

Behold these buttresses, these flankers,
They stand as if built for eternity.

TELL.

What hands have built, hands can throw down again.

(pointing to the mountains.)

Yon house of freedom God has founded for us.

*(A drum is heard ; soon after several people appear
bearing a hat on a pole, followed by a crier, and a
tumultuous throng of women and children.)*

FIRST LABOURER.

What doth the drum import ? Come, let us hear.

MASTER MASON.

What Carnival-mummary's this—what means the hat ?

CRIER.

In the Emperor's name, hear ?

LABOURERS.

Silence, and attend !

CRIER.

Ye men of Uri, all behold this hat,
It will be placed upon a lofty pillar
Conspicuous in the very midst of Altorf,
And this, mark, is the governor's will and pleasure :
That the same honour to th's hat be paid
As to himself ; that with uncovered head
And bended knee ye worship it—By this
The king would know which are his royal lieges,
And forfeit to the crown with goods and body
Is every one that dares contemn this mandate !

(The people laugh aloud, the drum beats and passes on.)

FIRST LABOURER.

What new unheard-of foolery hath the governor
Devised ? What ! we pay homage to a hat ?
Say, have ye ever heard the like before ?

MASTER MASON.

We bend our knees before a headless hat !
Hath he his sport with serious honest men ?

FIRST LABOURER.

And were it even the imperial crown ; but 'tis
The hat of Austria, friends ; I saw it hang
Above the throne from which the fiefs are granted.

MASTER MASON.

The hat of Austria ! Have a care, it is
A snare laid to betray us all to Austria !

LABOURERS.

No honest man will bear with this disgrace.

MASTER MASON.

Come, we'll discuss this matter with the rest.

TELL. (*to Stauffacher.*)

You know your way now. Fare ye well, friend Werner!

STAUFFACHER.

Whither so quickly? Haste not from us thus.

TELL.

My home's without a father. Fare you well!

STAUFFACHER.

My heart's so full—I fain would speak with you.

TELL.

The heavy heart's not lightened with mere words.

STAUFFACHER.

Yet words, methinks, might lead at length to deeds,

TELL.

Patience and silence are now the only deeds!

STAUFFACHER.

Are we to bear what is intolerable?

TELL.

The quickest rulers have the shortest reigns.

—When from its yawning depths the Föhn arises

The people all put out their fires, the ships

Speed to their havens, and the mighty spirit

Moves harmlessly and trackless o'er the earth.

Men readily allow peace to the peaceful.

STAUFFACHER.

Think you?

TELL.

The serpent stings not unprovoked.

Themselves at length will tire of tyranny

When they perceive the cantons undisturbed.

STAUFFACHER.

We could do much were we to stand together.

TELL.

Each, in a shipwreck, aids himself the easiest.

STAUFFACHER.

Do you so coldly leave the common cause?

TELL.

Each on himself alone can count with safety.

STAUFFACHER.

The weak are mighty too when they're united.

TELL.

The truly strong are mightier when alone.

STAUFFACHER.

Your country therefore cannot count on you

When in despair it arms for its defence?

TELL. (*giving him his hand.*)

Tell from the precipice doth fetch a lamb,

And shall he leave his friends in time of need?

Plan what ye list, but leave me from your councils;

If for a deed *determined on* you need me,

Then call on Tell and he shall not be wanting.

(*Exeunt in different directions. A sudden concourse of the people round the scaffolding.*)

MASTER MASON.

What's this?

FIRST LABOURER.

The slater from the roof has fallen!

BERTHA. (*with attendants.*)

Is life extinct? Help, assistance, help?

If help be possible, help, here is gold!

(*throwing her ornaments among the crowd.*)

MASTER MASON.

Out on your gold!—for gold your like would sell
 All things; when from the father ye have torn
 His children, and the husband from his wife,
 You think to compensate their loss with gold—
 Begone! We were glad beings ere ye came;
 With you, despair hath come upon the land.

BERTHA. (*to the overseer returning.*)

Lives he!

(*Overseer makes signs to the contrary.*)

O luckless castle built with curses

And curses ever will inhabit thee!

(*Exit.*)

J. D. PIERCEY.

THE ROMAN DE ROU.—No. 9.

(*Continued from page 290.*)

We have now arrived at the reign of Robert the Liberal, second son of Richard the Good, and sixth duke of Normandy, whom writers of historical romance have called Robert the Devil, and whose life they have disfigured with idle tales of superstition. As a sovereign, he was just, but stern, generous with prodigality, and brave with rashness. One of his most distinguished titles to the respect of posterity, although it be an accidental one, is the circumstance of his being the father of William the Conqueror. Dumoulin has thus sketched his character: "This prince was imbued with the piety of his ancestors, and was kind and affable to his friends; but a lion when enraged, and as the romances describe him, a true Robert the Devil; however, as the most scorching fires do not retain their heat for a long time, the hot ebullitions of his temper were soon cooled, and the least disposition to acknowledge an error, when founded in sincerity, rendered him as placid as a lamb." Wace, like a good priest, praises Robert for enriching the churches and monasteries, and specially for founding the abbey of Cerisy, situate between St. Lo and Bayeux, the church of which still displays many architectural beauties.

The first event of this reign was the revolt of William of Belesme, who was governor of the castle of Alençon. He was soon subdued and generously pardoned by Robert, who replaced him in his command. He died shortly afterwards, as well as his three eldest sons, all of them turbulent and cruel, leaving his fourth son, William Talvas, his sole heir and successor. At this juncture, died Robert, king of France, whose widow, Queen Constance, wished to dispossess her eldest son, Henry the First, of his inheritance, and place the crown on the head of her second son, in which attempt she was aided by the Earl of Champagne. The young king, unable to resist this formidable combination, sought refuge in Normandy, and solicited the aid of the duke, who levied an army, and carried fire and sword into France. The devastations committed in this

campaign are described as most exterminating by contemporary writers, and Robert avowed that the speediest mode of securing peace, was to render war as cruel as possible. The excesses of his army are the true reasons why the French chroniclers called him Robert the Devil. For his services in securing Henry on the throne, he received the territory called the *Vesin Français*.

Shortly after this enterprize, a dispute arose between the duke and Alain, Earl of Brittany, which led to hostilities. Robert erected a strong fortification on the bank of the river Coisnon, which separates Normandy from Brittany, and Alain ravaged all the country in the neighbourhood of Avranches. Néel of Saint Sauveur, and Auvray, surnamed the Giant, roused the barons to defend their territory. The Bretons attacked the division, under the former commander, and victory seemed a long time doubtful, but the arrival of Auvray, with reinforcements, changed the fortune of the day, which terminated in the complete triumph of the Normans, who put their enemies to a total rout.

Robert then determined to carry war into England, for which purpose he equipped a fleet. It was driven by a tempest on the island of Jersey, and the prevalence of contrary winds rendered the expedition abortive. The duke, however, resolved to turn this armament to some account, made a descent on Brittany, but the submission of Alain, who swore homage and fealty, prevented the effusion of blood. This reconciliation took place in 1030.

Wace then recounts the amours of Robert and Arlette of Falaise, the mother of the Conqueror, with a minuteness that modern refinement forbids us to detail. However, as something miraculous always relates to the birth of extraordinary persons, in the opinion at least of poets, we may add that Arlette had a dream, denoting that she would be delivered of a tree whose branches would shadow the whole of Normandy, which Robert considered a most propitious sign. The birth of the child is then announced; but Wace does not fix the date, which is indeed somewhat obscure. Among the different opinions entertained on this subject, we prefer that of the continuator of William of Jumieges, who states that William was sixty years of age when he died. Now, it is certain that his demise took place in September, 1087. He must, therefore, have been born towards the close of 1027, or the commencement of 1028.

In 1034, Robert determined to undertake a pilgrimage to Jerusalem. When he announced this intention, he was opposed by his barons, who represented to him the danger of his leaving the kingdom, without a son to exercise his authority. The duke, however, was not to be turned from his purpose. He insisted that they should receive the son of Arlette as their duke and pay him homage and swear fealty, placing him under the guardianship of the king of France, and confiding the government of Normandy to Alain, Duke of Brittany. Wace gives the following address of Robert on this occasion:

Seigneurs, dist-il, vus dites veir,
Mais jeo n'ai ne enfant ne eir,
Forz un petit filz ke jo ai;
Se il vus plaist cil vus lerrai
Par li conseil el Rei de France,
Kil' maintiendra o sa poessance.
Il est peti, mais il creistra,
E se Deu plaist amendera.

Jel' cognoiz bien è tieng por mien;
 Recevez-le, si ferez bien;
 E se Deu le velt cunsentir,
 Jeo pulz uncore revènr.
 Cil est de vostre norreture,
 Si ferez honur e nature,
 Si vus l'amez de dreite fel,
 E jel vus lai en lieu de mei. *Vers. 8118.*

The barons complied with the wishes of the duke, who, having confided his son to the king of France, and appointed Alain senechal of the kingdom, took his departure for the holy land. Alain did not long survive, being poisoned. According to Wace, this crime was perpetrated by the Bretons, but the better opinion is, that it was committed by the Normans, whilst he was besieging the castle of Montgomery. He died at Vimoutier, on the 1st of October, 1040, and was buried at Fecamp.

Though Robert travelled as a pilgrim, he displayed a royal magnificence throughout his journey. He presented himself at Rome with great pomp, and was equally conspicuous for the splendour of his retinue at Constantinople. Among other anecdotes related of him, he is said to have travelled on a mule whose shoes were of gold; and he complied with the oriental custom of dropping his mantle on the floor, when introduced to the emperor of the East. A chamberlain picked it up and returned it to the duke, who refused to wear it again, saying, that a mantle which had touched the ground was unfit to cover the shoulders of a Norman.

Having finished his pilgrimage, he commenced his return to Europe, but was seized with a fever, and died at Nice. Wace says that he was poisoned; but he is in error.

Our next notice of the "*Roman de Rou*" will commence the life of William the Conqueror, and as his biography is yet very imperfectly known, the reader may expect a variety of interesting details, hitherto unpublished. We shall be enabled, particularly, to mention all the principal barons and knights who fought at the battle of Hastings, including those whose descendants are now living in England, and that with a minuteness and authenticity not accomplished by any book on the peerage and baronetage at present circulated.

THE TANCREDS OF NORMANDY.

DURING the reign of Richard Sans-Peur the population of Normandy had so prodigiously increased, that numbers of the inhabitants, following the example of their ancestors, emigrated to other countries. The adventurous spirit, which seems peculiarly to have marked this chivalrous race of men, drew many of them to Palestine. About the year 983, sixty Norman pilgrims, on their return from Jerusalem, passed through Salerno in Italy, at the moment when that city, closely besieged, was on the point of surrendering to the Saracens. These travellers resolved to save it from the yoke of the infidels. They infused new courage into the Salernians, attacked the Mahometans in the night, slaughtered great numbers of them, and drove those who escaped the sword on board their vessels. The Prince of Salerno and the inhabitants offered them presents, which they refused with a generous disinterestedness. These heroes remained for a long time in Italy, serving in turn the popes, the emperors, and the

inferior princes. About the year 1030, their descendants founded the city of Aversa, situate at three leagues distance from Naples. Intelligence of their successes soon reached Normandy, and induced many of the inhabitants to seek their fortunes by emigration.

In 1032, Tancred, Seigneur of Hauteville, in the Cotentin, having but a small fortune, and twelve sons, for whom he could not make an adequate provision, sent the three eldest, William, surnamed Iron-Arm, Drogon, and Humphrey, to Italy. Several gentlemen of the Cotentin accompanied the Tancreds, among others Robert Grosmenil, William Groult, Tristan Citeau, Richard de Cariel, and Renouf, and they all proceeded to join their countrymen at the new settlement they had formed at Aversa in Apulia. In 1039, this rising colony elected Renouf their chief magistrate.

About this time, these same gentlemen crossed over into Sicily, under the command of William Tancred, with the expedition of the Emperor of the East. They formed the advanced guard which exterminated the Saracens at Messina. In a second attack, William, always the foremost in action, slew with his own hand the emir of Syracuse, and routed sixty thousand of the infidels. These distinguished heroes were, however, unrewarded and scarcely noticed, by the general of the Greek army. The Normans, indignant at this ingratitude, seized on the whole territory of Apulia in 1040. They collected an army of sixty thousand men, and founded a sort of republic which they divided into twelve provinces, of which William was elected president.

William Tancred, by his courage and firmness, preserved his soldiers in strict discipline, and maintained order in his new state. He died in 1046. He was succeeded by his brother Drogon, but he could not repress the turbulence of his troops, who devastated Italy. He was assassinated in a church, in 1051. Humphrey, third son of Tancred, replaced Drogon. He exercised the office of president during three years, and died in 1054.

Robert Guiscard, the sixth son of Tancred of Hauteville, had joined his elder brothers in Italy, in 1050. On the death of Humphrey, he was raised on a shield, and declared his successor. He received the title of Count de La Pouille and Duke of Calabria. Of this last district he completed the conquest. The pope, who had excommunicated him after his first exploits, granted him absolution and confirmed his ducal title, to himself and his posterity, with all lands he then held in La Pouille, Calabria, and all territories in Italy and Sicily which he had taken from the Greeks or the Saracens. His soldiers saluted their new chief with every mark of honour; but the barons, till then his equals, took the oath of fidelity with indignation rankling in their hearts. He saw his authority attacked by the chiefs, by the local presidents of the twelve provinces, and by the conspiracies of his nephews, the sons of Humphrey, whom he had excluded from all authority and condemned to lead a private life. Some were seized by the officers of justice, and sentenced to death: others were banished; and the remainder reduced into submission by the force of arms. He was occupied twenty years in consolidating his dominion. The Greeks, the Lombards, and the Saracens, took advantage of these intestine divisions, and attacked him; but they were severally vanquished and dispersed. The Saracens sought refuge at Barri and Salerno; the former only surrendered to the duke after a siege of four years; Salerno held out but eight months; and Guiscard, who exposed himself to every

danger, received a wound in the breast. He finally conquered all the provinces which constitute the kingdom of Naples; and the revolutions of eight centuries have not been able to sever that union, accomplished by his valour and prudence.

In 1060, Guiscard was joined by Roger, the youngest of his brothers, whom he sent into Sicily. Roger effectually expelled the Saracens who had been in possession of the island during two centuries, and made himself master of this rich conquest.

Sovereign of Sicily, Apulia, and Calabria, Guiscard meditated still more extensive conquests. His ambition aspired to the empire of the East. The deposition of the emperor Michel Ducas appeared a favourable opportunity for carrying his plans into execution. He had married his daughter Helena to Constantine, son of that emperor, and he levied an army under the pretext of avenging his daughter and his son in law. He brought forward an impostor who called himself the Emperor Michel, and he prevailed on Pope Gregory the Seventh to acknowledge him, and even to exhort the people to aid his restoration to the throne.

Guiscard raised an army of thirty thousand men, equipped a powerful fleet, and set sail from Otranto, in May, 1081, at the head of this expedition, accompanied by his eldest son Bohemond, and the pretended emperor. Whilst he besieged Durazzo, Bohemond seized on Corfu, which made a vain resistance. Guiscard was not so fortunate; a tempest dispersed his fleet, and that portion which escaped the fury of the storm fell into the power of the Venetians, who were the allies of Alexis Comnenus. The garrison of Durazzo made a desperate sally, carrying death and terror into the camp of the Normans, and the pestilence that then raged among them, thinned the ranks of many of their bravest soldiers.

Unappalled by these calamities, Guiscard remained firm. The Emperor Alexis advanced against him with sixty thousand troops. The more the danger increased, the more did the indomitable spirit of Guiscard rise to meet it: imitating the example of William the Conqueror, after landing at Pevensey, he burned the vessels that Bohemond had brought to his aid. Having thus cut off his only chance of escape, if defeated, he exhorted his men to fight on the ground on which they stood, as though it were the place of their birth and their burial, and having infused into them his own enthusiasm, he led them against the enemy on the plains of Pharsalia, those famous fields on which, nine centuries before, the glory of Pompey quailed beneath the better fortune of the first of the Cæsars.

The battle was fought on the 18th of October, 1081. The Normans, charging with impetuosity the ranks of the enemy, broke and dispersed the battalions immediately opposed to them, but the emperor, at the head of his guards, rallied the fugitives, renewed the combat, and broke through the squadrons of Guiscard. At this critical juncture, Gaita, wife of Guiscard, a woman of Amazonian spirit, rushed into the thickest of the fight, and by her presence animated the troops, while Guiscard himself, calm and collected, shouted to the runaways in a voice of thunder, "Whither do you fly! your ships are destroyed; the enemy will not spare cowards; seek a glorious death rather than find an ignominious slavery." They returned to the charge, and after a long and bloody struggle, the Normans gained the victory. The rout of the Greeks was complete, and the Emperor Alexis, pursued by Guiscard, only saved his life by a speedy flight. The pretended emperor was slain in the battle, and Bohemond and Gaita covered themselves with glory.

Durazzo opened its gates to the Conqueror, in February, 1082. Guiscard penetrated into the middle of Epirus, crossed the mountains of Thessaly, approached Thessalonica, and threw the inhabitants of Constantinople into the greatest alarm. He would inevitably have made himself master of this city, had not Henry the Third, emperor of Germany, invaded Italy. On hearing this intelligence, Guiscard left his army under the command of Bohemond, and hastened to the succour of the Pope, who was closely besieged by the Germans in the tower of Crescentius, now called the castle of St. Angelo. On his approach the emperor raised the siege, and retired into Lombardy. Guiscard encamped before Rome, and carried it on the first assault. He could not, however, restrain the fury of his soldiers, and the city was plundered. The pope, disgusted with civil feuds, quitted Rome, and passed the remainder of his life at Salerno.

Guiscard, incapable of resting quiet, quickly returned to Epirus. Three naval battles were fought; the two former produced no result; but, in the last, the Normans obtained a decided triumph, and thirteen thousand Greeks perished. Winter suspended the operations of Guiscard, but he resumed them with the spring. He penetrated into the interior of Greece, and seized on the principal towns of the Archipelago; and was about to march on Constantinople, when an unforeseen event disconcerted his projects. An epidemic seized his troops; he was himself attacked, and carried to Cephalonia, where he died on the 17th of July, 1085, at the age of seventy, or, as some state, at the age of eighty. This army, dispirited at the loss of their brave and successful chief, retreated, and the galley, which contained the mortal remains of the conqueror, was wrecked on the Italian coast. Guiscard bequeathed the duchy of La Pouille and Calabria to Roger, his second son, whom he had by Gaita, the heroine, and all his conquests to Bohemond, his eldest born.

We have already stated that, when Guiscard quitted the east to protect the pope against the Emperor of Germany, he entrusted the command of his forces to Bohemond. This young hero nobly sustained the glory of his father. He vanquished the Greek emperor in two pitched battles, and pursued the fugitive Alexis to the walls of Constantinople. Bohemond approached this capital; the empire appeared lost, when Alexis, despairing to maintain his throne by force of arms, had recourse to a policy, familiar to the subtle and unprincipled character of his nation. By bribery, he created a sedition in the Norman army; Bohemond used every exertion to quell the spirit of insubordination, but without effect, and he was reluctantly compelled to suspend his attack. Arrears of pay were due to his men, and he was obliged to make a journey to Italy to raise money, on which condition they returned to their duty. During his absence, he gave the command to leaders as brave as himself, but who did not possess his talents. These were defeated by Alexis.

Bohemond returned to Greece with Guiscard, in 1083. He took a conspicuous part in the new victories obtained by his father in this campaign. At the death of his father, in 1085, he readily gave up the Italian states to his brother Roger, and contented himself with the conquered countries. He assumed the title of Prince of Tarentum and Gallipoli. In 1096, he joined in the first crusade, and highly distinguished himself under the walls of Jerusalem, as did also his cousins Tancred and Roger.

In 1098, he made himself master of Antioch, and then was declared Prince of Antioch, the title by which he is best known in history. More

than once he made the Sultan of Babylon tremble on his throne. Laodicea fell into his power ; but he was shortly afterwards taken prisoner. He, however, soon recovered his liberty, and travelled to France to fulfil a vow he had made during his captivity. This journey was attended with a fortunate result. He married the daughter of king Philip the First, and returned with this princess to his dominions. He soon marched against the Greeks, but his success was trifling. He died, loaded with honours, in 1111. Six princes of the race of Tancred succeeded him in the principality of Antioch.

Roger, second son of Guiscard, and Duke of Apulia and Calabria, left those possessions to his son William, who died without issue in 1127. These dominions then passed into the authority of Roger, of whom we are now to speak.

When Guiscard was invested with the command of La Pouille, he sent for his youngest brother, Roger, who had remained in Normandy on account of his youth. Guiscard first employed him in Calabria, where he at once gave proofs of the most undaunted courage. He gained the name of the Norman Hercules. He was soon engaged on a more ample theatre.

Sicily was occupied by the Saracens and the Greeks, who, during several centuries, had desolated this fertile country. It was in this island that the first Tancreds distinguished themselves. Guiscard and Roger now formed a plan for its complete conquest, and the expulsion of its oppressors. They collected some small vessels, and Roger, at the head of a small band of resolute adventurers, crossed the strait, and landed near Messina. A formidable force opposed his advance, but the Normans attacked them with fury, and cut them to pieces. The enemy retreated to their fortresses ; Roger besieged them, and forced some to capitulate, while others he took by storm. Saracens and Greeks, both, fell before his sword. Victory followed his steps in every direction ; his successes were so sure and so rapid, and his very name so imposing, that his mere presence secured a conquest. In a few years, he expelled all the Greeks and Saracens from the island. He then assumed the title of King of Sicily, a rank confirmed to him by the investiture of the pope, which rendered his claim more sacred in the eyes of the people. Into this new kingdom, he introduced some of the Norman laws, established the feudal system, and delegated to his barons a portion of the sovereign authority, of which he remained the centre and the head. After having established order and peace in Sicily, Roger terminated his illustrious career in 1101, loved and regretted by his subjects, to whom he had acted as a protector and a father. He left a son worthy to succeed him.

Roger, second King of Sicily, and son of Roger Tancred, immediately, on succeeding to his paternal inheritance, seized on part of the domains of his cousin William, Duke of La Pouille and Calabria. William dying in 1127, Roger seized on the rest of his territories, and united, in his own hand, Sicily, Apulia, and Calabria. He was crowned at Palermo, on the 25th of December, 1130, and displayed a pomp and magnificence only equalled by the sovereigns of Asia, filling his subjects with astonishment and admiration. In 1146, he made war against the Emperor Manuel, took Corfu, Cephalonia, Negropont, Corinth, and Athens, advanced to the very suburbs of Constantinople, and returned laden with the spoils of the east. Shortly afterwards, he captured Tripoli, and other towns on the coast of Africa. He rescued Louis, the young King of France, from

the Saracens, who had been made prisoner in 1149, when that monarch was returning home from his expedition to the Holy Land. Roger enacted good laws for his subjects, caused justice to be respected, and protected commerce and literature; he was dreaded by his enemies, and loved by his own people. He died in 1154.

William, his son, ascended the throne without opposition. He was detested for his violence, his injustice, his cruelty and his tyranny. He was branded with the name of the Bad. He died on the 30th of April, 1166.

William the Second, his son and successor, was a pupil of the famous Peter of Blois. His virtues effaced all recollection of the cruelties of the preceding reign, and he received the title of the Good. He died in November, 1189, at the early age of thirty-five, adored and wept by his subjects. He had married Jane, daughter of Henry the Second, king of England, but left no posterity.

At his death, Tancred, a natural child of one of the preceding monarchs, was proclaimed king of Sicily and Naples. He died towards the close of the year 1192. The sceptre then passed into the hands of his son, William the Third, yet in his cradle, and his mother, Sibylla, assumed the regency. The emperor Henry the Sixth, who had married Constance, a daughter of Roger, king of Sicily, laid claim to the succession, by virtue of her rights, made himself master of the kingdom by force of arms, seized Sibylla, whom he incarcerated, and murdered William. This Henry, surnamed the Cruel, died on the 28th of September, 1197, and Constance followed him to the grave, in 1198.

Frederick the Second, emperor and king of Sicily, son of Henry the Cruel and Constance, was strangled on the 13th of December, 1250, by his natural son Mainfroy, who also poisoned Conrad, the son of Frederick, and usurped the throne of Sicily. Mainfroy was slain in battle by Charles of Anjou, to whom the pope had awarded the crown of Naples and Sicily.

Conradin, the son of Conrad, and great grandson of Roger through his maternal ancestor Constance, attempted, when only sixteen years of age, to struggle against the fortune and experience of Charles of Anjou. He was taken prisoner, and beheaded at Naples on the 26th of October, 1260.

Thus was extinguished, after a duration of two centuries, this line of heroes, who, sprung from a small village in the Cotentin, with no other auxiliaries but courage and genius, gained battles,—overturned thrones,—mastered the pontiffs of Rome,—conquered with one hand the Cæsars of Constantinople, and with the other smote the emperors of Germany, while they made even the sultans of Babylon tremble on their thrones.

HISTORICAL NOTICES OF THE CHANNEL ISLANDS.—No. 10.

(Continued from page 308.)

All the attacks of the opposition against Mr. Peter Carey having proved unavailing, they determined to alter their tactics, and accordingly Mr. Joshua Gosselin preferred the following articles of impeachment against Mr. Peter de Beauvoir, des Granges, bailiff of Guernsey:

"1.—That the said Beauvoir, being then a jurat, has, with the other jurats whom he thereunto induced and seduced, unlawfully and by arbitrary power, assessed a tax upon divers inhabitants of the Isle, for a levy of money which amounted to £600 sterling, and was given to the governor, who applied it to his own use, constraining the said inhabitants to pay the said sum by the attachment of their goods or of their persons, in so much that a merchant of good estate, by

name Nicolas Nichols, was, for not paying the same, kept prisoner in a place that served for common Jacks, to make him pay the sooner. And when a public officer, by name Mr. John Saumarez, desired that these monies should be put into the hands of some official person, he was checked, and threatened by the said Beauvoir, who opposed the same.

"2.—That he has sided and combined with the governor, Russell, to place in the hands of the said governor divers sums of the poor's money, public money, and other sums given for pious uses.

"3.—That, unjustly, wickedly, and against the laws and customs of this country, he has adjudged debts to be paid by some of the inhabitants to the governor, Russell, and sequestrated their estates, which the governor applied to his own use, as in the cases of Peter Prieux, Gabriel de Perier, Michel de Rozel, and others.

"4.—That by the like proceedings, he has counselled the said Russell wickedly and against the laws, for the seizure of divers inhabitants and ransoming of their estates, and that he has also procured agreements for the redemption of the same on payment of divers sums of money, which have been delivered up through his instrumentality to the said governor, as in the cases of Mr. Josias Le Marchant, Mr. John Brehaut, Mr. Priaux, Peter Marquis, and others.

"5.—That of late, and two years since, he has, with some few others, assumed the power to dispose of a quantity of tin, belonging to the state of England, and apply the proceeds thereof to the island of Serk, and to pay messengers sent over on his own private affairs; by which he disheartened the governor from maintaining the garrison there, and defraying other charges, to which he was bound by his commission, and that to the amount of about three hundred pounds sterling.

"6.—That afterwards, when he saw that the said Russell would not allow him to be received as bailiff, contrary to the laws of the isle, he turned against him, and caused a general insurrection, which was fomented by his faction, after the said De Beauvoir was prisoner; whereby the loss of the island was likely to have ensued.

"7.—It will be proved that the said Beauvoir, having induced divers poor country people of the parish of St. Martin to break down the enclosures of the commons, did, afterwards, judicially fine and condemn them for the same.

"8.—That he, being formerly a jurat, against his oath and the laws of the country, procured Mr. De Quetteville, then bailiff, to be dismissed from his office by the Earl of Warwick, then governor of the island, without the said De Quetteville being heard or examined, and De Beauvoir obtained the appointment for himself. A governor ought not to have displaced a bailiff, but so ambitious was De Beauvoir of the office that, about 1631, he wrote to Sir Peter Osborne to bestow that place on him, and with that letter he sent a blank with his name subscribed thereto, and stated in the letter that Sir Peter might make whatever conditions he pleased, provided he would make him bailiff.

"9.—That since he has been bailiff, against the laws of the island, he has kept places of jurats vacant during two years, or thereabouts, to serve his own ends and purposes, and to fill them up with his own friends, kindred, and allies; whereas the law enacts that, when a jurat dies, another must be at once elected; wherefore the people of the island have at different times requested a new election, which he has tyrannically rejected, without even taking the opinion of the other magistrates, whereby the course of justice has been obstructed in the island, to the utter undoing of the people; and moreover, that he has refused the deputies of the parishes several times, when they requested him to call an assembly of the States.

"10.—That since he has got into the said office, justice has not been impartially administered, and to great numbers has been wholly denied, though daily prayed for by petition.

"11.—That an unjust and illegal order, about the assessment on wine, was made by the said De Beauvoir to favour his nephew, Mr. James Le Marchant, in consequence of which French wines, belonging to him, were put to a higher rate by one penny per pot than others which were in the isle, a thing unprecedented.

"12.—That he assumes to himself such tyrannical power over the people, that, the States being convened four several times, he caused them (being then suspended from office) to retire without sitting, violently thrusting himself into the assembly, against the order of his suspension.

"13.—That, against the laws and customs of the country, he has pronounced divers unjust and tyrannical decrees, and arbitrary sentences, among others, one against Mr. Thomas Ploot, minister, dated 31st of June, 1645; one against Thomas De Jersey, and another against Nicolas De Garis, and that, for revenge, against evidence. Some other sentences he has given against the verdict of the majority

of the court, as in a case between Thomas Carey, nephew to the said De Beauvoir, and one Guille, of St. Martin, and in another case between Heller Rouget and Henry De Jersey. He also gave four contrary sentences in a case between Mr. John Perchard and Mr. John Rolland, on the 24th of May, 1644, on the 1st of November, 1645, and on the 27th of January, 1646, these last three being in reversal of the first, and in contradiction of the written laws and customs of the island. Moreover, he gave three opposite sentences in a case between Nicolas Gosselin and Michael de Rozel. And further, the said De Beauvoir has altered and subverted the style and judiciary order of proceeding in all manner of causes, as the registers of the court attest.

"14.—That he, the said De Beauvoir, is a railer and public calumniator, in open court, of the people, the magistrates, and the local officers, abusing some one or the other every court day with foul language, whereby he and his adherents exercise the most intolerable tyranny, the said De Beauvoir being of so violent a nature that he cudgelled one of the officers of the town in the church, because he would not side with his opinion. Also, a remonstrance was made to the court about April, 1648, by Mr. Thomas De Beauvoir against this Mr. Peter De Beauvoir, stating that the said Peter had defamed him by very gross and reproachful language; and that at a meeting of the States in the town church, upon some difference of words between them, the said Peter struck the said Thomas a violent blow on the head with his cane, which caused a considerable swelling.

"15.—That he has abused the parliament in petitioning for the office of bailiff, and not mentioning that he was suspended, and that the former bailiff, then living, claimed the office.

"16.—That he maintains a faction in court of his friends and allies, causing them to be chosen jurats and officers, to the terror of the well affected who will not side with him, whose estates, lives, and characters, are exposed to the caprice of his arbitrary power, so much so that the majority of the bench are his allies, brothers-in-law, nephews, cousins germane, and others, more remote cousins.

"17.—That he makes the poor people of the isle lose their time in lawsuits, by making unusual speeches, uttered to please his own vanity, and not for the dispatch of business, or the good of the people, who often lose whole days on matters which ought to be terminated on the first hearing.

"All the above I attest, and am ready to prove. (Signed) Joshua Gosselin."

In reply to these articles of impeachment Mr. De Beauvoir put in the following answer, which he forwarded to the council of state :

"The said De Beauvoir, before he gives a particular answer to the said articles, does most humbly beg leave to represent to this most honourable council, that the articles are signed by Joshua Gosselin alone, who has a spirit undeservedly embittered against the said De Beauvoir, because he has been convicted of signing a false writing against the said De Beauvoir, and because he imagines that the said De Beauvoir was the cause of his being imprisoned in the compter, when last in London, though his drunkenness was the true cause thereof.

"In answer to the first article of the impeachment, it is humbly submitted, that the governor having informed the magistrates that the parliament's vessels, then in the roads, were out of provisions, it was by them thought fit and ordered that those of the island, who were best able, should send money for their supply, the same to be repaid, with interest, out of the harbour dues. In order to show a good example, the magistrates made the first advances, and on this account there is yet due to the said De Beauvoir three hundred livres of French currency. No one has made any complaint but Gosselin, who did not lend one penny. The said order of the magistrates was confirmed by an act of the States, dated the 24th of April, 1644, the members of the States being the representatives of the people.

"To the second article De Beauvoir answers, that he was not bailiff when the money of Mr. Perchard was lent, as appears by an act of the 16th December, 1643. The money was designed for pious uses, but the exigency of the times required it to be employed for the service of the commonwealth. De Beauvoir expresses his humble desire that, according to the governor's engagements, it may be repaid to the said Mr. Perchard out of the revenue belonging to the government, to the end that it may be disposed of according to the will and intention of the giver.

"To the third article De Beauvoir answers, that Colonel Russell did receive monies and rents belonging to some men, who were reputed malignants, and, on that score, by him sent over to England, where, had they been conscious of their innocence, they might, upon their humble petition to parliament, have received redress against the said colonel, who kept the money; but, upon what ground

Gosselin should interest himself in a complaint on their behalf, the said De Beauvoir does not understand.

"To the fourth article De Beauvoir answers, that he knew not of the intention of the said Colonel Russell to seize the persons of Messrs. Josias Le Marchant, Priaux or Marquis, or any of them, and when he heard that Mr. Le Marchant was apprehended, he interceded for his release, and to this day he does not know what money the said Priaux or Marquis paid to the said colonel.

"To the fifth article De Beauvoir answers, that there was a quantity of tin sold, in a time of necessity, for the payment of the garrison of Serk, the same amounting to twenty-six pigs, and the whole proceeds were employed for the payment of the said garrison, as appears by the account of Mr. John Le Mesurier, treasurer, now enclosed and forwarded to your honours.

"To the sixth article the said De Beauvoir answers, that he has on all occasions endeavoured, not only in person, but in one of the companies of the trained bands under his charge, to suppress all mutiny in the island, as he can make appear by several attestations, one written with Gosselin's own hand; and as to the said De Beauvoir's coming over to England with Mr. Bonamy, another of the magistrates, it was to maintain the privileges of the island on the occasion of a murder committed in the island of Serk, the judge of which island sending the case over to Guernsey to be there tried, according to usual custom, Colonel Russell opposed the trial thereof by the court, he insisting that it should be tried by a council of war, which the magistrates did not think fit, as the said colonel had no commission authorizing him to exercise martial law in the island; and further, because both the murderer and the murdered were natives.

"To the seventh article the said De Beauvoir answers, that he has constantly endeavoured to maintain every man in his legal rights, and those who, by violence, have acted unjustly towards their neighbours, have been fined, as appears by several acts of court.

"To the eighth article the said De Beauvoir answers, that, Mr. De Quetteville being convicted of malignancy, as it is proved under the hands of the parliamentary commissioners, and of Gosselin himself, he was ordered to be seized and sent to England, and Mr. John Bonamy was appointed a magistrate in his place. The rest of the article is a horrid calumny, whereof, in due time, the said De Beauvoir may crave leave to demand justice.

"To the ninth article the said De Beauvoir answers, that it was heretofore usual, when there were seven jurats on the seat of justice, not to hasten to the election of others; nevertheless, the said De Beauvoir can prove, by abundant evidence, that, within a few days after the decease of any jurat, they summoned the electors to make choice of a successor, which was done accordingly.

"To the tenth article the said De Beauvoir answers, that there being an appeal granted to the parliament, it is an argument in favour of the equity of the judgment, and the said De Beauvoir, who has been twenty years on the seat of justice, can produce the attestation of the inhabitants of several parishes, of his equal and impartial proceedings in judgments.

"In reply to the eleventh article the said De Beauvoir observes, that the said Gosselin invariably attributes all the acts of the whole court, as a body, to the said De Beauvoir, as an individual, although he might have voted with the minority; with regard to Mr. Le Marchant's wine, which cost more than that which was first brought into the island, as appears by the account produced, and to which fact he offered to make oath, it is humbly conceived to stand with reason that it should be charged one penny a pot dearer than the first wine.

"To the twelfth article the said De Beauvoir replies, that, he being bailiff by authority of parliament, the said Gosselin signed a writing very false in its contents, with a view to procure his suspension from the said office, and by that means did himself disturb the assembly, which disturbance he now seeks to charge upon the said De Beauvoir.

"To the thirteenth article the said De Beauvoir replies, that, as the said Gosselin has scarcely any knowledge of the Latin tongue, it is questionable whether he is in a capacity to determine what the law, quoted in the *Coutumier* of Normandy, really signifies, and consequently whether the sentences, to which he alludes, are according to law, or not. De Beauvoir does humbly pray that, in the instances cited by Gosselin, it may be observed that the parties, against whom the sentences were given, have acquiesced in the judgment of the court. As to what concerns Mr. Picot, it was not a judicial sentence, but an admonitory order to restrain him from uttering sentiments in public assemblies dangerous to the peace of the island, he having promulgated doctrines prejudicial to the rite of marriage. In regard to

Mr. De Jersey, he, being drunk, beat another man so excessively, and believing that he would die, hid himself in rocks; but being seized and convicted of the fact, he received a moderate reprimand. Richard De Garis, being accused and convicted of ill dealing in the measurement of wheat, which he sold to the people, was also reprimanded. In the affair of John Rolland and Mr. Perchard, the said De Beauvoir did, and can, make it appear that the law was clearly in favour of Perchard, and seeing, by Providence, that my lord president was patron of the said Perchard's cause, his lordship can justify the said De Beauvoir in that particular.

"To the fourteenth article De Beauvoir replies that, knowing drunkenness to be the capital sin of Guernsey, whenever he has occasion to address the people, he represents to them what a foul and beastly thing it is to see the officers of justice drunk; at which the said Gosselin ought not to be offended, unless his own actions bring him within this reproof.

"To the fifteenth article De Beauvoir replies, that, being obstructed in the exercise of his office by the malices of Gosselin, as he can make it appear, he did represent the same to parliament.

"To the sixteenth article the said De Beauvoir answers, that he can produce several attestations from the inhabitants of his sincere and honest behaviour.

"To the seventeenth article the said De Beauvoir replies, that he does dispatch above three hundred causes in a year, which may be proved by the court book, and this is as much as can be well done.

"To the additional article, which says that Mr. Picot was banished for four to five years, the said De Beauvoir avers that it is a foul calumny cast upon the court of Guernsey, there having been no such sentence."

De Beauvoir further adds the following reasons why Joshua Gosselin has rendered himself unworthy of holding any magisterial office:

"1.—Because he is a public drunkard, who often spends whole nights and days in taverns, and because he has been put into the public gaol in London on account of his debaucheries, he being at the time as drunk as a pig (*ivre comme un pourceau*).

"2.—Because he has been publicly accused of having most iniquitously given a false judgment in the case of Mr. Perchard and Mr. Rolland, at the hearing of which Mr. Perchard declared, and offered to prove his declaration, that Gosselin had admitted that Perchard's claim was just, but that he would make him lose it; which is the act of an unjust judge, and deserving of rigorous punishment, both by divine and human laws.

"3.—Because he is a man who makes a constant practice of vilifying, calumniating, and scandalizing absent parties, by foul and filthy language, as it can be proved, which is unworthy of an upright judge, or of any private individual, who has the fear of God before his eyes.

"4.—Because he gave false testimony against M. Des Granges, and thus seduced the other jurats, who signed his declaration, as Mr. Bonamy, now deceased, did declare.

"5.—Because he is an avowed enemy of the government of England, having declared that he wished to see a king on the throne."

SEAL OF THE ROYAL COURT, GUERNSEY.

TO THE EDITOR OF THE GUERNSEY AND JERSEY MAGAZINE.

SIR,—I perceive in your April number, amongst your Historical Notices, one on the Royal Court's Seal in this island; in which you state that it was given by Edward the First, but that the grant accompanying it is unfortunately lost;—this circumstance has induced me to send you herewith a copy of that which I have in an old manuscript book; and which, although it does not bear the mark of authenticity *formâ legis*, is I believe a faithful transcript of that Patent: it is in Latin, which you will readily translate, if you find it worth your while to insert it in your valuable work. It is addressed to the Bailiffs of the two islands.

[TRANSLATION.]

"Edward, by the grace of God, King of England, Lord of Ireland, and Duke of Aquitaine, to the Bailiff and Jurats of the islands of Jersey and Guernsey, greet-

ing. Whereas our subjects of the above-named islands have suffered very frequently heretofore divers losses, and been exposed to no small dangers, sometimes on sea by shipwrecks, and sometimes on land by depredations, and by various other casualties, chiefly because we have had no seal hitherto in the islands, by which the briefs of our subjects in those parts could be attested, and their affairs be more speedily investigated and adjusted. We, being desirous, for the common good of our subjects in those parts, to provide a known and certain remedy for their dangers and losses, have willed that a certain seal of our own should be there used, and which we have caused to be provided and transmitted, in order that, for the future, such briefs as our subjects of the aforesaid islands have been accustomed to enroll in our chancery in England, and which for the future they may wish to enroll, and such agreements and contracts as may have been executed in the same place from time to time, and which heretofore have been only verbal, and not reduced into writing, shall in future be signed by this same seal. And therefore we command you to receive that seal, and cause it to be publicly made known by proclamation throughout the whole land of the aforesaid islands, that all our subjects of those parts, who may wish henceforward to have our briefs, may enroll them there according to the ancient mode of registry of those parts, as heretofore they have been accustomed to do in our aforesaid chancery. And you, the aforesaid Bailiffs, will cause briefs, and agreements, and contracts, to be signed with that seal, and send a transcript of the registry to us under that seal; and cause all the premises for the future to be held and faithfully observed in the islands in the form prescribed. In testimony of which we have caused our letters patent to be issued. Witness myself, at Westminster, the 15th day of November, in the seventh year of our reign."

This Patent, so far as I can comprehend it, makes no distinction between our seal and that of Jersey; but as no description appears to be given of either, that observation may not be conclusive, although it must be deemed an extraordinary case, (if there actually was, at the time, the difference of a *crest*, the one having it, and not the other,) that no notice should be taken of it;—certainly, the seal of ancient deeds should be evidence of the crest existing at the date at which the seal was appended; but that often is done at a later period than the *date* of the document itself; and in all cases, I believe, when the seal is affixed to any document, the day of that transaction is always inserted. I imagine, however, that there is little doubt of its existence anteriorly to 1460.

Our three leopards *passant* were undoubtedly the two of Normandy and one of Aquitaine, of which province Edward the First was then duke; they have, however, lately I perceive, been converted into *lions*; that is to say, the animals which, in the original seal, could scarcely be recognized with precision, are now graced with *lion's manes*, on our eight doubles pieces;—our arms are not registered at the Herald's College, nor is any thing known about them there, which is considered extraordinary, as it appears that one Vincent, Windsor Herald, temp. Jac. I, and deputy keeper of the Tower muniments, made extracts from those rolls touching Guernsey and Jersey; (beginning temp. Hen. III,) among which this grant might have been expected to have been noticed by Vincent; nevertheless, I still think the Patent of Edward the First, given above, is from an authentic source; at least, that it is not a mere fabrication. There seems to be some doubt, indeed much, as to the origin of the three lions of England; that, in early times, they were leopards seems probable; and indeed so late as 1449, the date at which Henry the Sixth conceded arms to Eton College, there is seen in the charter (*inter alia*) a leopard *passant* gold, "*cum pedistante leopardo aureo*," stated as being a part of the then royal arms; but it seems that although thus described in the charter, the animal on the seal has a mane and the character of a lion; at least, so it is said at the Herald's College. Little seems to be known at that office of the armorial bearings of our monarchs before Richard the First, but it is said there that William the First and his three sons are supposed to have borne the arms of Normandy, "*Gules, two leopards passant, or*," and that Eleanor of Aquitaine brought to Henry the Second the arms of that province, "*Gules, a lion passant guardant or*," which he added to his two leopards, converting them then into lions, like

that of Aquitaine, for uniformity's sake. The first evidence of our royal arms on a seal seems to be on that of Richard the First, "three lions passant guardant in pale," which became the established arms of his successors; still, they have been described sometimes as *leopardi*, but invariably represented as lions, and in contemporary records called *leones* and *leonnuculi*. The Brunswick lion, on our present royal arms, is supposed to have originally been assumed from our Henry the Second, by his great grandson (by Maud) Duke William of Brunswick, born at Winchester; and tradition makes his arms, "Gules, two lions passant guardant or;" but the arms of the duchy of Brunswick are stated to be, "de Gueules à deux leopards lampassez et passant d'or, l'un sur l'autre;" but they are usually represented as lions.

In a review of Dr. Meyrick's work on Ancient Armour, is this remark: "In Henry the Second's reign, we find that that monarch added, to the two lions which the Norman sovereigns of England had already assumed as the national device, a third; and it is pleasant enough to observe how the Heralds, who have fabricated so many unintelligible monsters for the benefit of the unlearned, have themselves blundered in respect to these lions: they have generally attributed, to the shield of the kings we have mentioned, two leopards; and to that of Henry the Second they have given a third. We now learn that William the Conqueror and his two sons had taken, not two leopards, but two leos-pardés, or lions passant guardant, one being the device of Normandy and the other that of Poitou; and hence arose the mistaken idea that the ancient arms of the kings of England were leopards. Henry the Second added to these two, the lion d'Aquitaine."

Where Doctor Meyrick has found this name of leos-pardés I cannot say, but he appears to be singular in his opinion; *pardus* in Latin, and *pardalis* in Greek, is the same animal as we term panther; and leopardus or leopardalis are compound names formed on the idea, that the leopard was the issue of the lioness and the panther—how *passant guardant* can be derived from *pardés*, it would be difficult to guess; besides, as we constantly meet with leopard passant—*pedistante leopardo*—and the like, these expressions would, in that case, be tautology and nonsense. It cannot be denied, however, that at those distant dates there was confusion in the notions formed of these two animals; and possibly from there being none of them in Europe even in those days, the two may have been confounded together through the ignorance of these times.

Thierry, in his History of the Conquest of England, states, that when William the Conqueror came over to England with his army, his sails had the three lions painted on them, being the ensign of the Normans. This is the first time I have met with a statement assigning three animals to the Norman arms; two I have invariably seen, more resembling leopards than lions, and described as of the former species.

A SUBSCRIBER.

TAXATION AND REPRESENTATION OF GUERNSEY.

COMMITTEES having been appointed, according to the tenour of the late Billet d'Etat, to report on the best mode of effecting a change in the present system of levying States taxes, and also of reforming the actual plan of legislative representation, the present moment seems favourable to some discussion of this important subject. With scarcely a dissentient voice, all agree that our insular constitution is not adapted to the present position and exigencies of the community, but yet there is a reluctance to touch the venerable fabric, lest the whole building should be levelled with the dust. Undoubtedly, in all organic changes great prudence and discretion are required, but if these are carried to the extent of pusillanimity they cease to be a virtue; and the statesman, who acts on this vacillating principle, is unworthy either of respect or confidence. We may rest assured that every constitution is fundamentally vicious, if it be deficient in that pliable elasticity which can adapt itself to those ever recurring changes caused by progressive civilization, the extension of commerce, and the cultivation of the arts and sciences. A constitution, if we rightly understand the signification of the word, means

a form of government by which human industry, mental and physical, is protected in its full development, and guaranteed in the peaceable enjoyment of the fruits of its labour. Consequently, if industry assumes a new form, and produces wealth under a new character, a sound constitution will easily extend its circumference, so as to include this new industry, and these new products, within its fostering circle; nor will it continue to recognise superseded labour, or render power permanent in the hands of the original possessors, unless they can produce better titles against their new competitors, than antiquity and precedent. In reference to our immediate subject, the necessity of reform in our mode of taxation and representation has been deemed urgent for many years, and the truest friends of Guernsey would rather see existing evils corrected by our own authorities, than by the interference of the mother country, an interference highly probable, unless it be anticipated by our own exertions. In looking over some old documents entrusted to our care, we have found two short articles on this question which seem to have been drawn up in 1803, but they are both without a signature. They may afford some materials for reflection to the members of the committees, and in that view we have determined to print them.

The first document commences with the tax list for 1803, and then enumerates the members of the States of Deliberation, and the States of Election; it then proceeds in the following manner:

"From the above statement it will strike every impartial person, firstly, that the sum levied in the country parishes, which is at the rate of two thirds of the whole, is much beyond what their proportion should be comparatively to the town parish which pays only one third, although its revenue is more than three times that of the other nine parishes. Secondly, that the proportion of the town parish should, therefore, be increased, and that of the other parishes be thereby reduced. Thirdly, that on the increase of that proportion the town parish should have an increase of representation.

"Although nearly all parties agree as to the inequality of the above taxation and representation, no one has yet given a plan how it might be altered, so as to put it on a fair footing.

"The following may be thought to merit the attention of the States, respecting the taxation.

"That in the levying of a tax voted by the States, the whole island should be considered as *one parish*, and that every individual should pay according to his worth, so that the tax might bear equally on all.

"As to the representation. First, in the States of Deliberation let an increase be made of eight votes by representatives named by the town Douzaine, so that with the vote they had before, it would make nine votes in all. Secondly, in the States of Election an increase of voters would be liable to great inconvenience, as it would be adding to an assembly already too numerous, besides which objection it might meet with great difficulty, in the appointment of proper parties to that situation. In lieu of that, it would be better to reduce the electors, and instead of the present number in the country parishes, to order that only the oldest constable and eight Douzainiers in the Vale Parish, and the oldest constable and six Douzainiers in the other eight parishes, should vote at elections, by which the States would be formed, as follows:

STATES OF DELIBERATION.

The Bailiff	1 vote.
Twelve Jurats	12 "
Eight Rectors	8 "
The King's Procureur	1 "
The Town Parish	9 "
The nine Country Parishes	9 "

Total 40 votes.

STATES OF ELECTION.

The Bailiff	1 vote.
Twelve Jurats	12 "
Eight Rectors	8 "
The King's Procureur	1 "
In the Town Parish, two Constables and twenty Douzainiers	22 "
In the Vale Parish, one Constable and eight Douzainiers	9 "
In each of the other eight Country Parishes, one Constable and six Douzainiers	56 "

Total.....100 votes.

"It is expected that the town parish will not object to this plan, it having increased in wealth and population in greater proportion than the country parishes, on which account it ought not to be against bearing a greater part, than it formerly did, of the taxes, which are levied for the benefit of the whole island.

"On the other hand, as the town parish (should the above alteration in the mode of taxation take place) would then pay more than three fourths, instead of only one third, as heretofore, of the sum to be levied, the country parishes ought willingly to allow the change in the representation, especially when it is considered that they would still retain an equal representation in the States of Deliberation as the town parish, and possess nearly two thirds more of votes in the States of Election, although they would not quite contribute one quarter of the whole tax.

"The Bailiff, the Jurats, the Rectors, and the King's Procureur, it is to be hoped, will concur in this plan. It must strike them that if their influence be diminished in the States of Deliberation, by the addition of eight votes, it is increased in the States of Election by the number of voters being reduced. The former is thus compensated by the latter, and it is to be observed that in proportion as the parishes bear the burthen of the taxes, it is but fair that they should be fully represented."

The next document that we are enabled to submit to our readers, is entitled in the MS., "*Ideas on the same subject from another respectable quarter,*" and in the following terms:

"At a time when it is in contemplation to reform the abuses existing in the Constitution of the States of the island of Guernsey, which require an immediate alteration to enable them to meet the views of our worthy Lieutenant Governor, who gives daily proofs of his zeal for the defence of the island, it is to be hoped that the following remarks will not be deemed unreasonable.

"That a general tax be laid on the inhabitants of the island, who are rated at and above twenty pounds sterling per annum, or twenty quarters of wheat rent, by which means the town and parish of St. Peter Port will contribute above the three quarters thereof, instead of only the one third to which it is now subject by law.

"As it would not be just to impose so heavy a burden on the town, without, at the same time, granting them a reciprocal advantage, an augmentation should take place of their representatives in the States of Deliberation, by admitting eight of their douzainiers, with free and independent votes, which would only equal the nine country parishes, though the population and riches of the town by far exceed those of the country, and in which the greatest number of men of talent reside; for, however respectable the country farmer may be in his situation, yet his want of communication, and his habits of life preclude him, in general, from paying that attention to political matters which they require. The admission of these eight town representatives cannot affect the dignity and weight of the bailiff and jurats, who will still preserve a preponderance in the States; but as the increase of the taxes is so great, it is requisite that the administration of them be regulated by a greater number of members, as it will thereby eradicate that odious distinction of town and country, and unite this happy isle, as it were, into one family.

"As to the States of Election, should the country parishes be unwilling to diminish their votes, an increase of voters must then take place on the part of the town, which might perhaps be a more popular measure.

"There is no assembly in the world (except in the republic of France) where a member has not a right to make such motions and proposals, as he thinks fit, therefore, the sole right of the bailiff in that respect ought to be abolished, and the States might be held quarterly, on certain fixed days."

To show how requisite it is that a proper balance should be held in the States to meet the weight of the country deputies, it is not improper to mention that, in the American war, they refused paying about forty pounds disbursed by the constables of the town for charges incurred by the transport of guns and building platforms to Vazon Bay, though the combined fleets of France and Spain were in the Channel, and an invasion was momentarily expected. One of the country parishes also refused the sums demanded for finishing Fort Amherst, saying that it was only a protection for the town, and that it ought to bear the whole expence. Even during this war, they have refused the just and necessary demands for the defence of the island, though they are now better able than they have ever been to bear a tax, for it is well known that the country has flourished to a very great degree within these last twenty-five years, and that it has not paid a single farthing towards the public burdens. If they considered the immense debt created

by the States, and that its revenue might be diminished by a stagnation of trade, of which debt they owe two thirds, they ought not to hesitate a moment in adopting the plan proposed, as they would thereby be greatly exonerated, and many useful public works might be undertaken that are now laid aside on account of the present system of taxation and representation.

Though the present system of taxation appears unjust, it is not without a precedent in England, where the land tax was in some places at four shillings in the pound, and in others as low as sixpence.

The motion in the States for an application to his Majesty in council for an alteration in the mode of taxation, without a change in the representation, was carried by a small majority; but, at a numerous assembly of the town parishioners it was unanimously decided to resist such a demand, they being well assured that his Majesty, in his great wisdom, would not grant one without the other.

COMMERCE OF JERSEY.—No. 6.

THE natives of the Channel Islands will always, from their insular position, be naturally fond of, or addicted to, the sea. The greater number of them have been employed in vraicking or fishing, and their occupations will more or less be connected with that element. When there is also inherent in the breasts of the men a spirit of enterprise, the sailing on the distant waters offers to the imagination a field on which to exercise courage, energy, resolution, and those virtues which the presence of dangers calls forth in a manly breast. There is something in the view of the ocean peculiarly inspiring; and to those who can appreciate the beauty and sublimity of nature, it will be found, that

There is a pleasure in the pathless woods,
There is a rapture on the lonely shore,
There is society where none intrudes
By the deep sea, and music in its roar:

and can we not address the ocean in the words of Byron?

Thou glorious mirror, where the Almighty's form
Glasses itself in tempests, in all time,
Calm or convulsed—in breeze, or gale or storm,
Icing the pole, or in the torrid clime
Dark-heaving:—boundless, endless, and sublime—
The image of eternity—the throne
Of the invisible; even from out thy slime
The monsters of the deep are made; each zone
Obeys thee; thou guest forth, dread, fathomless, alone.

The Normans of old were a hardy and enterprising race, allured by danger, and urged by valour and a feeling of success in whatever they undertook. Although very far from approving all their deeds, yet we cannot but admire their prowess and their undaunted spirit, which subdued to their sway some of the finest portions of Europe. The love of conquest has departed; "the hoarse dull drum now sleeps;" but a portion at least of the same spirit of activity and resolution dwells in their descendants in the Channel Islands; a part of their mantle has remained, as their extensive navigation and enterprise in time of peace, and their privateering exploits in time of war, fully demonstrate.

It is of late years only that the shipping of Jersey has assumed any degree of magnitude. Some notion of its former extent may be formed by what I remarked in my preceding article on our Newfoundland cod fishery, which, till the last war, may be considered as having been the only foreign trade in which vessels from the island were engaged. The natives of the Channel Islands, however, must, at an early period, have applied themselves to navigation; for, in a list of several English ports which were ordered to send their contingents of ships to the fleet of Edward the First at Berwick, in the year 1301, for an invasion of Scotland, we find, among the number,

the names of these Islands, which had to furnish ten vessels. Previously to the reign of Henry the Eighth, there was no Royal Navy, properly so called, in England; and whenever a fleet was required by the sovereign for his wars, the number of vessels wanted was supplied by several sea-port-towns, according to their wealth and ability.

The Channel Islands, at an early period, had the privilege of being considered as neutral; and, in time of war, the merchants of countries, at war with England, could freely resort hither. The origin of this privilege is involved in some obscurity; but, as we may readily suppose that it could not have been conceded unless advantageous to both of the belligerent parties, we may find a clue to the probable causes of it, in the fact, that the principal estates in the islands appertained to religious houses in both Normandy and Brittany, who would naturally be desirous that their property, and that of their religious order, should be preserved from the calamities of war; and England, on the other hand, might be desirous that tranquillity should be guaranteed to a part of the dominions of the crown, situated in the very jaws of the enemy's territory, in order not to divide her own forces, and increase her expenditure. The privilege assuredly did once exist, and it was confirmed by various charters of our sovereigns. It would appear, however, that it principally related to and protected objects of commerce, freedom of traffic, and the sources of wealth thereby flowing—which indeed humanity would rejoice at beholding universally the case in all those wars which governments wage against each other—for although it existed under royal seals, the islands were not free from the ravages and cruelties of the enemy, and they were often the arena of hostilities; which induced Edward the Fourth, and the people and clergy of the Channel Islands to apply for protection to Pope Sixtus the Fourth, who, accordingly, in 1483, issued a bull to that effect, which, by letters patent of the kings of England and of France, and the duke of Brittany, was ordered to be read throughout their dominions, that it might have full force, and that no person might pretend ignorance of it. The bull of the pope was especially to protect the inhabitants of these islands against the incursions of pirates and robbers, who occasionally arrived and landed on them, and committed grievous depredations and robberies, despoiling the churches of their sacred vases and ornaments, burning houses, vessels, and merchandize, and ill-treating the inhabitants. This, partly at least, seems to have been the object of the pope in his bull, which was levelled against those "*predones, Piratas, Raptores hostiles, Cursarios bellicosos, Latrunculos et Malefactores*;" and the pope therein commanded all persons, with whatever rank, pre-eminence, station, or dignity, whether ecclesiastical or secular, they might be invested, to abstain from such practices in future, and not to countenance them in others; against all of whom, in case of disobedience, were hurled the severe thunders and denunciations of the church,—of most tremendous power in those days,—excommunication, anathema, eternal damnation, and confiscation of all their possessions. However severe and dreadful were these censures, they repressed not effectually the troubles of the times, and we find an act of the Royal Court of Jersey of the 21st October, 1545, by which the inhabitants were enjoined to carry sticks for their protection.

There is a singular instance mentioned in the "*Chroniques de Jersey*," of one mode in which the neutrality and freedom of commerce were maintained, in the midst of violence and war. A vessel, belonging to the lieutenant-governor, Henry Cornishe, about 1550, was captured by French galleys, as she rode at anchor in St. Catherine's bay. She had a valuable cargo on board and much specie—the fruit of successful encounters. But, while this lieutenant-governor was engaged in the war—for this vessel had assisted in an engagement with the French off Guernsey—and while he must have participated in English rancour against the French, he protected their vessels trading to this island; and with determination as the following extract will shew: "*Il vint aussy des barques d'Angleterre du temps du dit Henri Cornishe, lieutenant en la dite isle de Jersey, lesquelles barques*

étaient en guerre contre les François; entre quelques barques, un des capitaines d'icelles voulut prendre et emmener quelques barques de France, qui pour lors étant en Jersey, avecq de la marchandise, tant de toilles que de vins et autres choses, ce que le dit Cornishe ne voulut permettre; mais le dit capitaine Anglois, se confiant au grand nombre de ses gens, et bon courage, dist tout hardiment au dit Cornishe, 'que malgré luy et toute l'isle, il les emmenerait et qu'il ne demandait pas de meilleure pruiſe,' ce disoit-il, pour ce qu'ils étaient bien 300 hommes ès dittes barques d'Angleterre, pensant en eux-mêmes qu'ils pourraient bien maltriser toute l'isle;—quoy voyant, le dit Cornishe dist au dit capitaine, 'que s'il ne partait dans 24 heures venantes, qu'il luy ferait cognoistre la force de la dite isle.' Mais le capitaine luy dits par grand depit, 'qu'il fist du pire qu'il pourrait;' surquoy le dit Cornishe fit assembler toute l'isle le lendemain environ dix heures du matin, tellement que les grèves d'empuis la ville de St. Helier jusques à St. Obin estoient couvertes de gens bien armés et eu bon ordre; quoy voyant le dit capitaine Anglois fist embarquer ses gens en tout haste et s'en retournèrent en Angleterre, sans plus outre retourner en la dite isle de Jersey." The neutrality, it is most likely, at last ceased, through the fault of our people, who, by fitting out privateers during war, forfeited all claim to it.

The first harbour which the island had was probably at Gorey, whose castle rendered the neighbourhood the seat of the insular government—for there the court of justice was held. Mr. Dumaresq, in the reign of Charles the Second, wrote: "at the foot of Mount Orgueil Castle, on the south side, is the most ancient harbour of all the island; there is an old and decayed pier, where such small boats as use the neighbouring coast of Normandy do resort."

St. Aubin's was formerly the chief place in the island for commerce and navigation, and it long continued so. The first account we have of a harbour there, is of the year 1550 in an order in council of Edward the Sixth, dated April 15th, where we find the following: "And for as much that a great part of the safetie and commoditie of the same isle dependeth of the good and safe keeping of your *havens*, we shall on his Majestie's behalfe, require you all, whose special interest resteth in the same joyning your will and endeavours and good helpes together, to contribute among yourselves for the speedy reinforcement of the *bulwarkes* of St. Alban's." This order in council was issued shortly after the attempt of the French at Boulay bay, where, after a warm action, they were driven back by the inhabitants.

In the year 1618, the States of the island petitioned the king for leave to levy a small duty on spirits to build a pier. The privilege of levying that duty was subsequently granted by Charles the Second, in the year 1668, "unto the bailiff and jurats of our said isle for the time being, and their successors;" but for three especial purposes, the chief of which was "that 2000 livres tournois by the yeare, part of the revenue, should goe toward the building and erecting of the schoole, colledge, or academy, as is now intended to be built in the towne of St. Helier, untill that the same shall be finished, and master and ushers therein settled; the second purpose was the yearly employment of 900 livres tournois for the erecting and building of a convenient house, and for and towards the raising and maintayning of a stoke of money to bee used for the setting to worke and orderly governing of poore and idle people, the reliefe of decayed tradesmen, and the correction and restraint of vagabonds and beggars;" and the third object for which these letters patent were granted, was, "that all the rest and residue of the said revenue, should be from time to time employed and expended for and towards the full and perfect erection of the peers of St. Alban's," which, it is stated, "the inhabitants of the said isle have long intended to erect and build for the better security of merchants and others that shall repaire thither for trade and commerce." The authorities appear to have acted in accordance with the last object at least; for Mr. Dumaresq wrote in 1685, "there is a pier almost finished, adjoining to the north-east point of the small island where the fort of St. Aubin is built, which will be about thirty

feet high at the head, some three hundred feet long, and about thirty broad. Here all the shipping of the island resort, it being the principal harbour. The conveniency whereof has occasioned a small town, called St. Aubin's to be built, consisting of about four score houses, that daily increases, and would much more, but that the same high hill, that commands the said fort, hinders it." And he further observed, "that of forty vessels with topsails and decks, besides as many smaller craft that are now in that island, twenty are able to maintain the whole commerce, as well for importing from England the materials of our manufactures, as for exporting the said manufacture beyond sea, besides all ordinary necessaries." St. Aubin's maintained its commercial character, to which Falle, in 1734, gives his testimony. "It is a town of merchants and masters of ships," said he, "who first settled in that place for the sake of the adjoining port, the best and most frequented in the island."

It must doubtless afford some amusement, when we read of the kind of harbour which St. Helier's then had, though "the chief commerce of the island was at that town." Mr. Dumaresq wrote: "There is under the church yard of the said town a shelter for boats, which, with the help of the brook that comes down there, might (with no great charges) be made to secure greater vessels, that would be a great conveniency to the commerce of that town, which is at great charges to bring their merchandizes by land from St. Aubin's, which is above three miles, there being no harbour nearer for vessels of a considerable burthen." But St. Aubin's was not the only place where vessels unloaded their cargoes, "for," adds our author, "there is in St. Aubin's bay, besides the pier at the Tower, another place, where vessels in summer do unload, for the conveniency of the town of St. Helier, close by Charles' Fort at Elizabeth Castle: and there is also a small pier, unfinished, under the castle walls, at the east side by a sally-port, where the castle boats are usually kept, and where greater vessels may be safe, but the entrance is narrow and dangerous, though always good enough for boats." Attempts were made for the erection of piers at two different places near the town, but they partly proved abortive. At the time when Falle published the second edition of his "Account of Jersey," we find that the people of St. Helier's had resolved in earnest upon having a good harbour, for that historian wrote: "By a laudable emulation, St. Helier is raising such another great work as is at St. Aubin, at a convenient place near it; which is so far advanced that it already does good service, and will do more when brought to perfection." St. Helier's had no other harbour than that till the beginning of the present century, and the chief part of the foreign trade of the island continued to be carried on from St. Aubin; but the necessity of having better harbours was felt at both of these towns, and the States, about 1790, laid the first stone of the present north pier at St. Helier's. "That work," says the Rev. Edward Durell, "was then carried on for some time and afterwards discontinued for several years, probably for want of sufficient funds. It was however since resumed, and by means of loans and an improved management of the revenue from the duties on wines and spirits, that magnificent undertaking was at length brought to its completion. It is calculated that it cost two millions of francs, or above £80,000, an immense sum for such a small island! and what is still more remarkable, is, that the debt which was incurred on that account is now nearly extinguished." The harbour formerly was small, unsafe, and inconvenient; and, in the year 1803, only two vessels could unload at a time, whereby losses were frequently incurred, sometimes to the amount of £1,000 in a day. In consequence of this, and the increasing navigation of the island, the Chamber of Commerce, with a truly laudable and liberal spirit, offered to the States to build a new quay in the English harbour, which was accepted, and that mercantile body erected it at their own expense. The harbour of St. Helier's, although comparatively new, for it was finished only a few years since, is now found to be too small and inconvenient for the increasing shipping of the island; and it is not impossible that before many years elapse, another

harbour will be built, or the present one enlarged; and several plans have already been prepared at the request of the States, though as yet none have been adopted. Before resolving on an undertaking of this nature, where the expense will be very heavy, it will be well for the governing body to act with prudence and due consideration, and to adopt that plan which shall offer the greatest convenience to vessels, with due regard to economy.

About thirty years ago, a harbour was built at St. Aubin's, which, on account of the shipping resorting to that at St. Helier's, is almost useless, and it has seriously injured that at the Tower, by the swell which it occasions in it. Besides this, the depth of water in St. Aubin's harbour is not sufficient.—How much money has, at various times and in various places, been uselessly thrown away!

The growth of our shipping and navigation has preceded that of our harbours, which have at different times been erected and improved, in consequence of a pressing want; so that the much-to-be-respected bailiff of Guernsey, Mr. Brock, was right, when, in his Billet d'Etat relative to the harbour at St. Peter's-Port, he observed: "J'ai de grands doutes à savoir si l'on doit attribuer l'accroissement du commerce de Jersey à l'accroissement de son port. Il y a bien des causes autres que celle de l'état des havres, qui influent sur la prospérité commerciale;" although it cannot but be admitted that good harbours are absolutely necessary for shipping, and contribute strongly to its advantage and increase.

Since the commencement of the peace, there has been a yearly progressive increase in the shipping of Jersey; which will be better seen by the following statement of it at different periods:

In 1807.	76 vessels....	6655 tons....	736 men.
1817.	79 " 	8167 " 	587 "
1827.	182 " 	16583 " 	1658 "
1836.	232 " 	20861 " 	2018 "

Besides the shipping actually belonging to the island, a statement of the number of arrivals yearly in our harbours, cannot but be of interest to the inhabitants, at least. Such a statement has never yet been published, and Mr. Inglis regretted that he could not procure the information, which, with a little trouble he could have made out, as I have, from the books of the harbour masters. The arrivals in the harbour of St. Helier's, including the steamers, though not the government packets, were:

In 1833.	1076 vessels, measuring	78,864 tons.
1835.	1310 " "	101,279 "
1836.	1159 " "	96,407 "

The arrivals monthly at St. Helier's, during 1836, were as follows:

In January.	69 vessels, measuring	4897½ tons.
February.	77 " "	5855½ "
March.	56 " "	4849½ "
April.	104 " "	9236½ "
May.	98 " "	8459 "
June.	112 " "	9026 "
July.	112 " "	9474 "
August.	133 " "	10877 "
September.	121 " "	10755 "
October.	110 " "	9854 "
November.	90 " "	7009 "
December.	77 " "	6114 "
<hr/> 1159 vessels.		<hr/> 96407 tons.

The greater number of arrivals take place from April to October.

The number of arrivals at St. Aubin's, during 1836, was 63 vessels, measur-

ing 4452 tons—a sad fall compared to the increasing number at St. Helier's, and to past times;—at the port of Mont Orgueil, during the same year, it was

92 Jersey vessels, measuring	2139 tons.
224 English ,, ,,	7307 ,,
11 French ,, ,,	224 ,,
<hr/> 327 vessels.	<hr/> 9670 tons.

These were principally employed at the oyster fishery; in former years, the number was larger.

Besides the arrivals, it may be desirable to ascertain the number of entries and clearances at the custom house here, of vessels with cargoes; and, as a matter of curiosity, to compare the number with that in England. The entries inwards were as follows:

Jersey.		United Kingdom.	
1834.....	1,300 vessels, 85,694 tons.....	16,548 vessels	2,184,378 tons.
1835.....	1,349 ,, 89,758 ,,	16,531 ,,	2,952,854 ,,

Thus, the entries inwards at Jersey, as compared with those in the United Kingdom, were, in the year 1834, of vessels as 1 to 12 nearly; and the tonnage as 1 to 33 nearly; and in the year 1835, the proportion is about the same.

The clearances outwards were:

Jersey.		United Kingdom.	
1834.....	1,155 vessels, 69,146 tons.....	13,181 vessels.	2,184,099 tons.
1835.....	959 ,, 62,610 ,,	14,093 ,,	2,370,033 ,,

The proportion of clearances outwards from Jersey, compared to those from the United Kingdom, was therefore in 1834, 1 vessel to 11 nearly, and 1 ton to 30 nearly; and in 1835, of vessels about 1 to 14, and of tonnage about 1 to 38. Both the entries and clearances are solely of the vessels with cargoes, exclusive of those in ballast, and, in Great Britain, exclusive of those employed in the coasting trade. This proportion will doubtless appear large in our favour, especially when the relative size of the two is remembered. Taking into consideration whether the extent or population of either, a comparison between the commercial navy of England and Scotland, and of this island, will not be disadvantageous. The following is an account of the number of registered vessels, with the amount of their tonnage, and the number of men employed in navigating the same, in England, Scotland, and Jersey, during three years:

England:		1833.	1834.	1835.
Vessels.....	14,388.....	14,388.....	14,620.....	14,823
Tonnage.....	1,805,626.....	1,831,074.....	1,853,112	
Men.....	104,727.....	105,198.....	105,946	
Scotland:				
Vessels.....	3,288.....	3,291.....	3,287	
Tonnage.....	317,983.....	324,230.....	335,820	
Men.....	23,185.....	23,336.....	23,924	
Jersey:				
Vessels.....	228.....	233.....	240	
Tonnage.....	20,292.....	21,940.....	23,080	
Men.....	.....	.....	2,011	

Hence the proportion of Jersey shipping to that of England is as about 1 to 60, and of Scotland as 1 to 14; of tonnage about 1 to 80 of England, and 1 to 14 of Scotland; and of men as about 1 to 53 of England, and 1 to 12 of Scotland.

A comparison may be desired by some persons between the shipping of Jersey and some of the principal ports of England, Scotland and Ireland. The following is a statement of the vessels belonging to some of the princi-

pal ports during the year 1832, for I have not an account of each of a later date :

London.....	2,669	vessels,	565,174	tons....	32,786	men.
Liverpool....	853	"	166,028	"	9,329	"
Hull.....	557	"	68,892	"	4,348	"
Bristol.....	296	"	46,567	"	2,460	"
Aberdeen....	355	"	41,671	"	3,026	"
Glasgow....	241	"	41,533	"	3,253	"
Greenock....	367	"	37,791	"	2,553	"
Belfast.....	255	"	25,151	"	1,526	"
Dublin.....	299	"	22,972	"	3,172	"
Cork.....	275	"	18,019	"	1,465	"
Jersey.....	216	"	20,250	"	1,895	"

Compared to the English ports, Jersey would rank the fourteenth, and would precede Poole; to the Scotch, the seventh; and to the Irish, would rank the third, for our tonnage is greater than that of Cork. I should add that the shipping of some of the principal ports in the United Kingdom is supported by large manufacturing towns in the neighbourhood, some of which require the importation of a raw material, and all, the export of the completed article.

The shipping of Jersey, viewed in relation to the population of the island, will give a proportion of half a ton to each inhabitant.

The harbour dues are not heavy. Till last July, a discrimination was made in the rate of duties levied on island, English, and foreign vessels. A Jersey vessel making more than four voyages per annum, was charged for each voyage at the rate of two pence per ton, and if less than four voyages, four pence per ton; an English vessel was charged four pence per ton if she made more than four voyages, and sixpence if less than four voyages per annum; and foreign vessels were charged eight pence per ton. An equalization was last year made in the harbour dues, so that now all vessels, whether island, English, or foreign, pay equally six pence per ton, except those which make six voyages at least per annum, and which are consequently charged only four pence per ton. The amount of harbour dues annually received at St. Helier's is about £2,000.

Vessels built in Jersey cost less than those in England or even Guernsey, which I would attribute principally to the difference in the wages of carpenters. We can, and we do, it is true, import timber from the North of Europe for the purpose, duty free, which cannot be done in England; but of late years some of the Hamburg timber which had been made use of, has been attacked by that fatal disease, the dry rot, so that vessels built with English or Jersey oak are much preferred; although that timber is dearer. We have several vessels which have been built in Canada, on some of our fishing establishments, which being carefully constructed with well-seasoned timber, last a long time. A bounty of every seventh ton was formerly granted by Government on vessels built there, but it has ceased for some years.

The character which the island masters and crews of vessels enjoy for carefulness, occasions a preference to be given for freight to island vessels abroad; and at Lloyd's, an island vessel is usually insured with more facility, and sometimes at a cheaper rate, than vessels of the United Kingdom.

(To be continued.)

L. Q.

FRENCH ATTACKS ON JERSEY, IN 1779 AND 1781.

THE importance of the Channel Islands, as naval stations, has ever been appreciated by France, and since the period when our Gallic neighbours repossessed themselves of the province of Normandy, they have made frequent attempts to bring Guernsey and Jersey under their sovereignty. Many instances of their

invasions have already been noticed in the series of "Historical Notices," published in the Magazine, and I now propose to give a narrative of their last attacks on Jersey in 1779 and 1781. Mr. Pless has written an interesting account of this subject, but I think it merits a more extended notice.

During the first American war, which terminated in the independence of the United States, the French government sought to avail themselves of the embarrassment of England, and draw off a portion of her naval armaments to the defence of the Channel Islands. A plan for the invasion of Jersey, contrived by a prince, or Count of Nassau, was favourably received by the cabinet of Versailles, who placed an effective force at his disposal. The ancestor of this general had rendered a very disputed claim, of being in some measure descended from a defunct branch of that illustrious family, the means of greatly advancing his fortunes in France. The army employed on this service has been estimated, by different accounts, at from three to five or six thousand men. They appeared in sight of the island, in about fifty flat bottomed boats, under the convoy of five frigates and some armed cutters, early in the morning of the 1st of May, 1779, and attempted a debarkation in St. Ouen's Bay. But they were so warmly and vigorously received by the 78th regiment, and the militia of the island, that, after a faint, spiritless, and ill-supported attempt, they relinquished the enterprize, with very little loss on either side.

An express was immediately sent to England, and the vessel which carried it happened to fall in with a squadron of men of war, under Admiral Arbuthnot, and a prodigious convoy, amounting to about four hundred merchantmen and transports, bound to New York with reinforcements, camp equipage, stores, and other necessaries, for Sir Henry Clinton. The admiral had spirit and resolution enough, rather to hazard any personal consequence that might attend his venturing upon a breach of orders, than to suffer the loss of so valuable an island, whilst he commanded a force in the Channel. He accordingly ordered the convoy to wait for him at Torbay, and proceeded himself with the squadron to the relief of Jersey. His presence, coupled with the disputes among the French officers on their first failure, compelled the invaders to retire.

Notwithstanding this repulse and disappointment, the plan was not relinquished. The French troops were landed and retained for several days on the small islands which lie between Jersey and the continent, while their armed vessels paraded on the opposite coasts of Normandy. The spirit, activity, and gallantry of Sir James Wallace, in the Experiment of fifty guns, being seconded by two frigates, and as many armed brigs, by which he was accompanied, put an end to this appearance of threat, and state of alarm. That officer having pursued several large frigates, with some smaller craft, into the bay of Canceille, in Normandy, until they had run ashore under the cover of a battery, and his pilots not venturing to take any further charge of his ship, he directly took that charge and risque on himself, and laid her abreast of the battery. In that situation he continued to engage, until he silenced the guns of the fort, and compelled the French crews to abandon their ships, which being then boarded by the armed boats of the Experiment and Cabot brig, the Danae, of 34 guns, and rated at two hundred and fifty men, with two small loaded prizes, were brought safely off; but the country people, with some troops and militia, now keeping up a constant fire, with cannon and howitzers, as well as small arms, from the shore, they were obliged to be contented with burning, or otherwise destroying, two other stout frigates, an armed cutter of 16 guns, and a number of small craft. Thus terminated the expedition of the Prince of Nassau against Jersey.

In the attack just described, the Baron de Rullecourt held the rank of second in command, and he planned and conducted another invasion on the 5th of January, 1781. The personal objects he had in view were sufficiently encouraging, while his military ardour and natural ambition were of themselves capable of urging him to the most hazardous attempts. The rank of general, the order of St. Louis, and the government of Jersey, were to be the splendid rewards of his success. Such powerful stimulants operating upon a temper naturally fiery and bold, were liable to generate precipitation. The Chevalier de Luxembourg, who was his partner in this design, and intended to be his partner in the execution, was, through sickness, or some other cause, detained from taking any part in the enterprize.

Rullecourt's force for this expedition amounted to about two thousand men, and was composed of the volunteers of Luxembourg, and of detachments from neighbouring corps. Having collected a sufficient number of vessels for their conveyance, and some privateers for their protection at Granville on the coast of

Normandy, his impatience was so great, that without regard to the bad weather which then prevailed, he embarked the troops, and put to sea. The immediate consequence of this injudicious haste, was the dispersion of his fleet of small vessels in a storm, by which ten of them, with about half the troops, were driven back to France, and never rejoined him; whilst he, totally ignorant of their fate, with the remainder, put in for shelter to a small cluster of islands or rocks called *Chausey*, which lie between the French coast and Jersey. He was still too eager in pursuit of the high rewards in view to be deterred by this misfortune; and, forgetting the rough enemy he had to encounter, entertained no other apprehension than that of being driven back to his own coast. He accordingly seized the first opportunity of fair weather for passing over to Jersey, and succeeded in getting clear of all the dangerous rocks and rapid currents by the aid of a traitorous Jerseyman, who had formerly lived at *La Roque*, and was an experienced pilot. He had taken refuge in France after having committed a murder in his own country, and now added a public to a private crime. This wretch steered through the rocks of *La Roque Platte*, and the vessels arrived in *Grouville* bay, when the troops were landed in the dark, at a place called the *Banc du Violet*, or the *Violet Bank*, about three miles from *St. Helier*, the capital of the island. The coast was, however, so dangerous, that a privateer with four small vessels were lost among the rocks, and about two hundred of the men perished. A small party of militia who guarded a redoubt at this place, thought themselves so secure, and were so shamefully remiss in their duty, as to be seized asleep by the enemy, who were thus for several hours upon the island without the slightest alarm being given.

Baron de *Rullecourt*, leaving one hundred and twenty men in the redoubt of *Grouville*, which mounted four guns, marched with the rest of his troops to *St. Helier*, where, having seized the avenues to the town, surprised the guard in the dark, and possessed himself of the market place without noise, the inhabitants were astonished, at break of day, at finding themselves in the hands of an enemy. Major *Moses Corbet*, the lieutenant-governor, was brought prisoner to the court house, yet he found means to send information of this disaster to the 78th, 83d, and 95th regiments, which were stationed in the island. The French commander now wrote down terms of capitulation, which he tendered for *Corbet's* signature, by which the island was to be surrendered to the arms of France, and the troops to lay down their arms, and be conveyed to England. To induce acquiescence in this measure, on which all his hopes depended, he greatly magnified his force, pretending that about five thousand of his troops had landed and dispersed in different parts of the island, so that all resistance was in vain; and at the same time he held out the barbarous threat of instant destruction to the town and inhabitants in case of refusal. It was in vain remonstrated that no act of the lieutenant-governor's could have the smallest validity in his present position, and that the officers and troops were too sensible of their duty to pay any regard to his acts, while a prisoner. *Rullecourt* was peremptory in his demand; and the lieutenant-governor, in a moment of weakness, signed the capitulation. Major *Hogge*, the fort major, followed his example, and died two years afterwards from the poignant grief with which this action embittered his life. But the king's solicitor-general, *John Thomas Durell*, and *Matthew La Cloche*, the constable of *St. Helier*, nobly and resolutely refused to accede to the capitulation.

Rullecourt now flattered himself that all difficulties were surmounted. He produced his commission from the king of France, by which he was declared general of the army, and governor of Jersey. He compelled Major *Corbet* to address an official order to the officers commanding the royal troops, desiring them not to remove from their respective barracks, which they felt themselves bound to obey, until they knew that he was a prisoner. The militia, however, had assembled at different points, and marched in a body on the town; the greater number joined the Highlanders, who were encamped on "*Le Mont Patibulaire*," more familiarly known as "*Gallows Hill*."

In the meantime, the French commander summoned *Elizabeth Castle* under the terms of the capitulation, which was preserved by the promptitude and firmness of the Captains *Aylward* and *Mulcaster*, who had fortunately escaped thither on the first alarm; and being now in some degree prepared against a sudden attack, they rejected the summons with great spirit, and peremptorily refused to pay the smallest regard to the capitulation, or to any orders whatever extorted from, or issued by, the lieutenant-governor in his present circumstances. The French, placing Major *Corbet* in their front, still continued to advance towards the gate; but they were fired at with such vigour from the castle, that they soon found it necessary to make the best of their way back to the town for shelter.

The regiments of the line, and the insular militia, had now formed on the heights near the town, under Major Pierson, of the 95th, who instantly secured a hill of great advantage, the possession of which had been overlooked by the enemy. The French commander then sent a messenger to Major Pierson, to require his compliance with the terms of the capitulation; but that spirited officer peremptorily answered, that if Rullecourt and his troops did not within twenty minutes lay down their arms, and surrender themselves prisoners of war, they were, at the expiration of that time, to be certain of his immediate attack.

Pierson was punctual to his word, and made a very masterly disposition of his forces. As he was informed that the enemy had applied the town artillery to their defence, the two columns destined for the principal attack were each preceded by a howitzer. The assaults were made in all accessible places with such impetuosity, that notwithstanding the advantage which the enemy derived from the possession of the streets and houses, they were every where driven rapidly upon the centre of their force in the market place. There the action was soon decided; for, the French general being mortally wounded, the next in command, seeing the hopelessness of their situation, requested the lieutenant-governor to resume his authority, and to accept of their surrender as prisoners of war.

The satisfaction arising from so sudden a deliverance, was unfortunately damped by the fall of the gallant Major Pierson, who was shot through the heart in the instant of victory. The extraordinary military abilities displayed by so young an officer (he being under twenty-five years of age) in what was his first essay in arms, as they would have held out the highest expectations to his country, could not but render his death an object of general regret. By the island of Jersey he was lamented as a hero, who had generously sacrificed his life for its preservation. The death of his uncle, Sir Richard Pierson, an ancient general officer of repute, which happened immediately afterwards, and was attributed solely to the untimely fate of his nephew, served to render the misfortune the more melancholy.

The unfortunate Baron de Rullecourt persevered in the same extravagance of conduct to the last, which had so strongly marked his character. When the attack was commenced in the market place, he seized the lieutenant-governor by the arm, and, declaring that he should share his own fate, led him out of the court house under a shower of bullets, where he was obliged to stand close by him, until he himself dropped down, after having received three or four mortal wounds, which deprived him of the power of speech, though not immediately of life; so that he had the misfortune to live until he had seen the ruin and surrender of his party.

During the engagement at the town, the redoubt at Grouville was gallantly retaken with fixed bayonets and without firing a shot, by the grenadiers of the 88th regiment, who were on their way to join the main body. Thus the whole of the French party that had landed, amounting to about eight hundred men, were either killed or taken prisoners. The British troops were newly raised, but nothing could exceed the valour and good conduct displayed by them and the militia through the whole affair.

Major Corbet was tried, and dismissed the service, but he is said to have received a pension. His conduct was highly culpable, but he was not a traitor. His dereliction of duty was an act of the most pusillanimous weakness.

The British had about fifty of the regulars killed and wounded, and about thirty of the militia. Major Pierson was interred in the church of St. Helier, and a monument was erected therein, at the cost of the island, to commemorate his bravery, his services, and his death.

Thus terminated the last attempt of the French to obtain possession of Jersey, and if they should ever repeat the experiment, they will find that the old Norman blood still flows in the veins of our island militia.

St. Helier.

AN OLD JERSEY MILITIAMAN.

GUERNSEY AUCTIONS.

There is a general complaint among the tradesmen of the island on the subject of auctions, and as we have received several letters on the matter, we feel bound to say that the complaint is well founded. We do not of course allude to the sale of goods and furniture *bona fide* belonging to residents, whom misfortune, or removal from the island, compel to dispose of their effects. But we think it unfair

towards the established tradesmen, that strangers, mere birds of passage, should glut the market with commodities without paying some protecting duty, in the shape of a tax on their merchandize. We may be told that any such impost would be a violation of the principles of free trade; if such be the argument, let us examine its validity.

We can form no notion of free trade, unless all the sellers, as well as all the buyers, are on a footing of perfect equality. Assuming that to be a settled and inconvertible principle, let us see how the question stands. The established tradesman is bound to support his share of the local burthens, and must contribute his proportion towards the taxes. When he estimates the selling price of his goods, he of course fixes his profit so as to include the sum at which he is rated, as well as his rent, and the general expenses incidental to the carrying on of his business. He is also compelled to keep a stock of goods on hand to meet the usual demand of his customers, on which he calculates the interest on a dormant capital. But the stranger, who arrives with a cargo of goods, is free from all these outgoings and contingencies. He hires a room in the Arcade, frequently acts as his own auctioneer, remains perhaps a week in a cheap lodging, disposes of his commodities, and carries away the value out of the island. Most assuredly, this is not an illustration of the freedom of trade, for while one man goes into the market, his goods being taxed for parochial and state exigencies, the other encounters him without the weight of a single liability. To make their situations similar and reciprocal, one of two alternatives must be adopted; either take the local taxes off the backs of the resident tradesmen, or levy a tax on all goods imported into the island for the purpose of being sold by auction. Now, it is quite certain that the former plan cannot be adopted; and therefore justice demands the enforcement of the latter. In this manner, the real principle of free trade would be established; but under the existing system it is constantly violated.

But we hear of another justification of this indulgence, granted to the birds of passage. "If," say the admirers of auctions, "we threw any obstructions in the way of strangers, the local tradesmen would be unchecked, and raise their prices to an extortionate amount." This is very fallacious and short-sighted reasoning. In the first place, the vast number of shops now in Guernsey prevents all collusion among the proprietors, and ensures a warm and constant competition. In the next place, no act of its nature is more foolish, than to be constantly running from one shop to another. When a tradesman knows that he has a constant and safe customer, he will never sell him an inferior article, or dun him for payment. It is his interest to please in every possible respect, and thus permanently retain his constituent. Thirdly, experience has proved to most people that cheap bargains are the dearest in the long run, for many are induced to purchase things they really do not want, and thus make an absolute lumber room of one of their apartments. We ourselves knew an instance of this pseudo-economical mania, which is somewhat curious. A vessel was wrecked, near a sea port in the west of England, which contained a large quantity of linen. It was of course damaged by the salt water, and sold by auction. The purchasers were eager and numerous, and one of the shopkeepers bought a large quantity. They, who had not been fortunate enough to attend the sale, called on him to supply their wants, and his stock was rapidly exhausted. The draper had, in his store, some pieces of linen which were a little soiled, in consequence of which they had remained a dead weight on his hands. The golden opportunity was not to be lost: he sent the whole of it in the night to the beach, wetted it, rubbed it with sea sand, and then disposed of it, at a good price, as part of the cargo from the wreck. This is no exaggeration, but literally a fact, and it is a fine illustration of the gullibility of auction hunters.

If the public would only open their eyes, and exercise their reason, they would spontaneously desist from encouraging this system, as unfair towards the resident tradesman, and unprofitable to themselves. What guarantee does the itinerant vender give of the genuine value of his goods? None whatever. If he sells pinch-beck instead of gold, how is the dupe to obtain his remedy? Is it not notorious that the great majority of these hawkers act on the plan of Peter Pindar's razor-seller, whose articles were not manufactured to shave the beard, but to shave the pocket? Let all prudent housekeepers rest assured that there is no saving or economy in looking after casual cheap bargains, and that their best security consists in the intelligence and honesty of a resident respectable tradesman, who stands, as it were an umpire or arbitrator, between the manufacturer and the consumer. There are some secrets in all trades, and who is able to detect these peculiarities, but the man who has been regularly trained to the business. As in

medicine, silly people linger for months in illness, and not unfrequently kill themselves, by attempting to cheat the regularly educated physician, while they swallow the deleterious mixture and pills of such wretches as a Solomon or a Morison; so also is there a quackery in auctions, where the buyer of cheap bargains, to bilk the fair tradesman out of his just profits, lays out his money on a glittering exterior of commodities, which turn out to be mere rubbish. This conduct is a complete illustration of the familiar saying, "He is penny wise and pound foolish."

The Royal Court have deemed it expedient to interdict the perambulations of itinerant hawkers, whose whole stock of goods was carried on their backs. We think this measure was a just one: but why limit the prohibition to pedlars? Why not follow out the principle, and apply it to auctions? Are we to tolerate on a large scale that which we condemn on a small scale? If so, then our laws resemble cobwebs which trammel small flies in their meshes, but through which the large ones break with impunity. Our authorities may rest assured, that there is a very strong feeling on this subject among the tradesmen, nor is it lessened by the dull state of business which now exists. In every branch of commerce profits are reduced to a very low ebb, and there is a strong and just necessity to protect the resident and taxed shopkeeper against the unfair competition.

Though somewhat foreign to the main question which we have thus briefly noticed, we take this opportunity of animadverting on another abuse of commerce, very generally practised by French travellers in the wine and spirit trade. Instead of confining their sales to the wholesale merchants, they literally tramp from door to door, taking orders from individuals for the smallest quantity of goods. Of course, the Royal Court cannot interfere in this matter; but the remedy is in the hands of the merchants themselves. They should each keep a black book, and note down the names of all who are guilty of this unmercantile conduct, and resolve among themselves never to give a single order to any house whose agents may have been convicted of these malpractices.

LAWS AND CUSTOMS OF GUERNSEY.—No. 7.

CRIMINAL COURTS.

Court of Correctional Police.—All cases of Correctional Police may be decided by the Bailiff and two Jurats. It is a settled principle with them, that they cannot condemn to any punishment exceeding one month's solitary confinement on bread and water; but, in point of fact, they sometimes, by requiring petty offenders, who are likely to turn out bad subjects, to find bail for their future good conduct or leave the island, pass sentences which, in their consequences, may be equal to a banishment of great, because of indefinite, length.

Cases of Correctional Police may be tried at all times. They were, until lately, disposed of before the special business of the day. This having long been felt to be an evil, as the time of suitors and their witnesses was not unfrequently lost, and important cases postponed, on account of some ridiculous night brawl, or some paltry dispute between two parties equally reprehensible,—the court, some time since, appointed every Thursday morning for the hearing of police cases.

Criminal Court.—The Criminal Court must be composed of the Bailiff and at least seven Jurats. Before this tribunal are tried not only all cases of felony, burglary, and larceny, which alone may be regarded as being strictly criminal; but also all cases of battery or assault, libel or slander, together with infractions of local ordinances, all which must be regarded as being partly criminal and partly civil. In many criminal cases of slight importance, it is left to the prisoner's option to be tried by the Court of Correctional Police. The trials before the Criminal Court can only take place in term, except the prisoner should, in order to avoid a long imprisonment before trial, petition the court to try him out of term, when, if the case be not a very serious one, his petition is granted; but in matters of importance, as for instance, in all cases where life may be at stake, the petition is seldom, if ever, acceded to. The Criminal Court is open the same length of time as the Saturday Court.

As the forms of proceeding in trials where the crime may involve capital punishment, are perhaps peculiar to Guernsey, and not generally known by strangers, it may not be improper to present the reader with a brief sketch of them. The case selected being one for murder, it may be necessary to remark that all the proceed-

ings, except of course the inquest, are precisely similar in all cases of felony or burglary.

When a person has been murdered, an inquest is held over the body by the Bailiff and two or more Jurats, who return a verdict in the same way as a coroner's jury.

If the supposed perpetrator of the crime is apprehended, he is brought before the court, which again need not be composed of more than the Bailiff and the two Jurats, when witnesses are heard in private, and he too undergoes an examination. If, from the evidence adduced, there exist strong suspicions of his guilt, an indictment is drawn up, which is read over to him, and the Court proceeds to take his interrogatory, in writing, which, it is explained to him, will be made use of on the trial. He is then committed for trial.

On the next Saturday, if it be term time, the prisoner is brought before the Criminal Court, when his indictment is publicly read to him, and he is required to plead *guilty* or *not guilty*, and directed to choose one of the advocates for his counsel. Whether he admit, or whether he persist in denying, his crime, he is sent back to jail, in order that witnesses may be examined.

A day is then appointed for the examination of witnesses in support of the prosecution. The Crown Officers, as public prosecutors, are present at this examination, but neither the prisoner nor his counsel,—a most unfair proceeding. The witnesses are introduced one by one, sworn, and the King's Greffier proceeds to set down their name, age, deposition, and answers to the questions that may be put to them by the Crown Lawyers and the Court.

When all the witnesses for the prosecution have been thus examined, another day is appointed by the Court for what is called *le recollement*, which means the re-examination of the witnesses, or verification of the evidence. On this occasion the witnesses of the Crown Officers are called in singly, their depositions are read over to them, and they are required to declare whether they confirm what they have deposed, and whether they have any thing to add thereto, or to diminish therefrom. This again is a private sitting, at which neither the prisoner nor his counsel is present.

The next proceeding is the confrontation of the prisoner with the witnesses. This usually, though not necessarily, takes place on the same day as the *recollement*. The witnesses are again called in, one by one, the prisoner is asked whether he objects to the witnesses—if not, their depositions are read, and the prisoner, assisted by his counsel, puts such counter-questions as he may deem proper: the Court and Crown Lawyers may also again interrogate the witnesses.

After the confrontation is terminated, the prisoner's counsel may demand to examine witnesses in behalf of the prisoner; but he must state the particular facts which he is desirous of proving, and the Court decides upon the propriety of admitting or refusing such evidence. If the prisoner's demand is granted, another day is appointed for examining his witnesses.

When all the examinations have taken place, an authenticated copy of them is furnished to the Crown Officers and another to the prisoner's counsel.

On the day of trial the Court must be composed of the Bailiff and at least seven Jurats; and, as any of the Jurats are at liberty to assist at the inquest, committal, and examination of the witnesses, although only two are absolutely necessary, it may, and does not unfrequently happen, that most of, if not all, the Jurats, who sit at the trial, have assisted at the previous proceedings, and are, therefore, in possession of all the facts of the case, before the trial, strictly so called, commences. This is to be regretted, for it is impossible to conceive that any body of men should assist at an inquest,—act as Grand Jury in finding the bill against the prisoners,—assist in framing the indictment,—receive the evidence of the witnesses at the first examination, then at the verification thereof, and finally at the confrontation,—it is, we say, impossible to conceive they should go through the whole of these proceedings, and yet come into court on the day of trial with their minds unprejudiced and unbiassed.

The indictment, the prisoner's interrogatory, and the depositions of all the witnesses, are read,—after which, and before hearing what the Crown Lawyers have to say in support of the prosecution, the prisoner's counsel is obliged to enter upon the defence.

The King's Procureur then follows by an address in support of the prosecution, at the close of which he states what sentence, in his opinion, ought to be given: this part is technically called *les conclusions des Officiers du Roi*.

The King's Comptroller follows much in the same way, and also gives his conclusions, which generally, though not necessarily, are the same as the Procureur's.

The Bailiff then sums up the evidence in a charge which he delivers to the Jurats,—after which each Jurat, from senior to junior, publicly states his individual opinion, and the sentence is decided by the majority. Should there be an equality of opinions, the Bailiff has a casting vote. There have, therefore, been cases—one within the recollection of the writer—when the life of the prisoner was wholly at the Chief Magistrate's mercy.

The Bailiff communicates the sentence of the Court to the prisoner.

The sentence is final and irreversible, nor is there any necessity for reporting the proceedings to the king before it can be put into execution, except where it may appear to the Court that the criminal, though found guilty, is a fit object for royal clemency,—in which case the execution of the sentence is to be deferred until his Majesty's pleasure be known.*

It will no doubt have struck the reader that the method just described of obtaining evidence in criminal cases is at once unfair towards the prisoner, and ill calculated to promote the ends of justice by the elicitation of truth. It is unfair towards the prisoner, inasmuch as neither himself, nor his counsel, is allowed to be present until the examination in chief has, in point of fact, been brought to a close, whilst at the same time the Crown Lawyers, who are the prosecutors, are present at every sitting. It is ill calculated to promote the ends of justice, because, besides its affording no facility for the elicitation of truth, it is impossible for the judge to form so correct an estimate of a written deposition, read to him in the witness's absence, as of one delivered before him *viva voce*; for in the latter case he can form some estimate of the value of the witness's statement from the manner in which he gives it,—but in the former, none. Neither the prisoner nor his counsel being present whilst the evidence is taken, the only opportunity afforded them for cross-examining the witnesses is on a subsequent day, when, after hearing read to them depositions which may have been given with much hesitation on the part of the witnesses, and which it may have required an hour or more to extract from each of them and reduce to writing,—after hearing these fluently and with due emphasis read over to them in the short space of a few minutes,—and without having that time and opportunity to consult on the cross-questions, which a lengthened *viva voce* examination in chief would invariably afford,—they are bound at once to cross-examine the witnesses. The cross-examination, if it can with propriety be so called, must of course, in every case, be a very imperfect one.

That this method of examining witnesses must be regarded by the Royal Court itself as objectionable, is evident; for, in the *Observations* presented by them to his Majesty in Council, and dated November 28th, 1817,—observations which had been called forth by the report of his Majesty's Commissioners, who had come to the island the preceding year,—adverting to the practice of taking evidence in writing in civil cases, they state:—"Depositions in writing are very tedious, expensive, and not so well calculated for the investigation of truth as the cross-questioning of witnesses at the time of trial." Yet, in all civil cases, in which the decision may be appealed from to his Majesty in Council, it is absolutely necessary to take down in writing the depositions of the witnesses, as they can by no process be compelled to leave the island for the purpose of deposing in an English Court; but in criminal cases it is otherwise, as no appeal lies from the decision of the Court,—and in the event of a recommendation to mercy, or other similar occurrence, the President's notes might suffice. The evil in question has long been felt and acknowledged, but, as in every thing else, it is clamoured against and talked of only when some remarkable trial forms the theme of conversation, and is afterwards lost sight of until some fresh event brings it again in all its hideousness before the public eye. It were, therefore, greatly to be desired that advantage should be taken of a moment when public feeling is not highly excited, and when a change can be reflected upon with calmness, for the purpose of operating such a reform in the mode of taking evidence in criminal cases as would at once afford the prisoner a fairer chance of establishing his innocence, and the judge a better opportunity for the investigation of truth.

The proceedings in all criminal cases where the punishment cannot extend to the loss of life or limb, or to perpetual banishment, are, with the single exception that the evidence is taken *viva voce* on the day of trial, carried on in the same manner as in cases involving capital punishment.

In prosecutions for libel, slander, battery, &c., which are of a mixed character, being partly civil and partly criminal, the Crown Lawyers are adjoined, the one to the plaintiff, and the other to the defendant. They are so adjoined in order to

* Order in Council, Nov. 30th, 1899.

represent *la partie publique*, and to require in cases where, besides the injury done to one of the parties, the public peace has been broken, that the party at fault shall not only pay damages to the aggrieved party, but be mulct in a fine to the king. But, in point of fact, the two Crown Lawyers are at present retained and paid by the parties, and therefore merge the character of public representatives into that of mere private counsel,—the plaintiff and defendant being still at liberty to employ an advocate to act conjointly with the Crown Lawyer. The results of this system are, that each Crown Lawyer, though supposed to act in a public capacity, invariably calls for a verdict in favour of the party to whom he is adjoined,—that the interests of the public are treated as a thing of no moment whatever,—that the fine to the king is in every case so very trivial as seldom to be more than nominal,—and that when both parties have so been at fault that no damages can be awarded to either, the prosecution is quashed without civil damages to either, or fine to the king,—in other words, when the public peace has been broken by only *one* party, the community, represented in the person of the king, is deemed entitled to a fine; but when it has been broken by *both*, it is deemed entitled to none!

B—.

NOTES OF THE MONTH.

GUERNSEY.

Bequest of the late John Priaux, Esq.—The bailiff laid the subjoined documents before the Royal Court, which were afterwards ordered to be registered:—

The 6th of May, 1837,—before Daniel De Lisle Brock, Esq., bailiff; present, John Guille, J. Le Messurier, J. Hubert, J. Le Marchant, W. Collings, H. O. Carré, F. Mansell, P. B. Dobrée, T. W. Gosselin, T. Le Retilley, and H. Dobrée, Esqrs., jurats.

John Priaux, Esq., having by his will made the following bequest: "I give and bequeath unto the poor indigent of the island, who labour under hernias or ruptures, (and who do not belong to any of the hospitals of this island,) fifteen hundred francs per annum, in the French Rentes Five per Cents. Consolidés, to procure them bandages or trusses as they may require—the capital never to be touched: and should not the fifteen hundred francs be expended during the year, I desire that the balance will be paid over to the Royal Court and Douzainiers of the town and parish of St. Peter's-Port, or any person or persons appointed by them for the true performance of this bequest. Should hereafter any innovation be made different from what I intended, then and in that case, any of the descendants of my brothers will have a right to claim it as their property."

And Thomas Priaux, Esq., executor of the said will, having by his letter of the 1st of February last, requested the Court to name a committee to take into their hands the entire administration of the said bequest, in consequence of which, the said Royal Court, on the 2d February, named John Guille, Esq., lieutenant-bailiff, and Thomas Le Retilley and Harry Dobrée, Jun., Esqrs., jurats, and the Town Douzaine named Thomas Carey and John Bonamy, Esqrs., to form the committee; which committee, in concert with the executor, have named and confirmed James Priaux, Thomas D. Utermarck, and Abraham John Le Messurier, Esqrs., trustees of the said bequest, who had been named and appointed provisionally by the said executor. And on the death or resignation of any of the said trustees, the first vacancy shall be filled up by such a person as the Royal Court may be pleased to appoint, and the second shall be supplied by such a person as the Town Douzaine may be pleased to appoint, and thus by the Royal Court and the Town Douzaine alternately for ever. And moreover the said committee, by their deliberation of the 23d of March, were of opinion that it would be expedient that the present trustees should appear before the Royal Court and

be confirmed in the said trust by an act of court, and acknowledge that they hold the said trust as well from the Royal Court as well as from the Town Douzaine, and that their successors shall be elected alternately by the Court and by the Douzaine, as above, of the whole of which the said committee and the said executor have requested the Court to make an act thereof. The Court wishing as much as it is possible in their power to promote the beneficent views of the testator, and after hearing the conclusions of the Crown Officers, and in concert with the said Town Douzaine, confirm the nomination of the above trustees, and have ordered, that in the event of the death or resignation of the said trustees, the first election to replace the vacancy shall be made by the Royal Court, the second by the Town Douzaine, and alternately afterwards by one or the other of these bodies. And the above trustees have acknowledged that they hold their trust by the nomination of the Royal Court and the Town Douzaine. And the said Thomas Priaux, Esq., executor of the said will of the late John Priaux, Esq., his brother, now declares that he ratifies and confirms the whole of the above; and that he abandons, from this moment, and for ever, all right whatsoever, as well upon the capital upon the said bequest as upon the distribution of the dividends of 1,500 francs, five per cent. Rentes Consolidés, inscribed upon the public ledger of France, to the Royal Court and the Town Douzaine, who shall hereafter have the administration of the said bequest for the purpose of applying the revenue according to the inclination of the said testament. And the said Court have ordered, that a copy of the present act shall be placed under the seal of this island, and presented to the said Thomas Priaux, Esq., in testimony of a bequest so honourable to the memory of his late brother, and so useful to the poor.

(Signed) CHARLES LEFEBVRE,
His Majesty's Greffier.

The following certificate was put in by Thomas Priaux, Esq.:—

Before Daniel De Lisle Brock, Esq., bailiff, and Peter Bonamy Dobrée, and Thomas Le Retilley, Esqrs., jurats of the Royal Court of this island, personally came and appeared Mr. Thomas Priaux, who voluntarily maketh oath, that the clause in his late brother, Mr. John Priaux's will, under date of the 16th May, 1837, viz.

"I give and bequeath unto the poor indigent of this island, who labour under hernias or ruptures, (and who do not belong to any of the hospitals of this island,) fifteen hundred francs

per annum, in the French Rentes Five per Cent. Consolidate, to procure them bandages or trusses as they may require: the capital never to be touched; and should not the fifteen hundred francs be expended during the year, I desire that the balance will be paid over to the Royal Court and Douzainiers of the town and parish of St. Peter's-Port, or any person or persons appointed by them, for the true performance of this bequest. Should, hereafter, any innovation be made different from what I intended, then, and in that case, any of the descendants of my brothers will have a right to claim it as their property."

Not specifying the object to which the payment of the said surplus balance was to be applied, was taken from a will of his said late brother, Mr. John Priaulx, written in his own hand-writing, and in which will, it was particularly specified, that the balance directed therein to be paid over yearly to the Royal Court and Douzainiers of the town and parish of St. Peter's-Port, was to be applied and distributed by them towards the relief of the poor of this island, at their discretion. And this deponent further declares, that the specification whereby his said late brother, Mr. John Priaulx, directs that the balance paid over to the Royal Court and Douzainiers of the town and parish of St. Peter's-Port, should be applied towards the relief of the poor of this island, (and which was so inserted in the above will,) was an omission in copying the said will, and not a voluntary alteration on the part of the testator. This deponent further declares, that he has thought it indispensable to make the said declaration for the guidance of the Royal Court and Town Douzaine, previously to authorising them or their committee to take on themselves the entire administration of the said legacy, and the application of its income, according to the dispositions of his said late brother's will.

THOMAS PRIAULX.

Sworn at Guernsey, the 4th May, 1837,

Before us,

DANIEL DE LISLE BROCK, Bailiff of Guernsey.
P. B. DONNÉ, } Jurats of the Royal
THOMAS LE RETILLEY, } Court.

JERSEY.

The following letter, the last received from Lord John Russell on the subject, was submitted on Wednesday to the States, and by them handed over to the Committee appointed for managing the affairs of the jail:

Whitehall, April 4, 1837.—Sir,—I am directed by Lord John Russell to acquaint you, with reference to the correspondence which has already passed on the subject, that his lordship is very desirous some steps should be immediately taken for the better regulation of the prison in Jersey; and after considering the very defective state of that prison—the scanty and unsettled supply of the funds by which it is supported—the great importance of a well-regulated gaol and house of correction, with reference to the increased and increasing population of the island, in deterring from offence—in reforming culprits—and diminishing the number of re-committals—Lord John Russell has desired me to communicate to you the following suggestions, with his request that you will lose no time in submitting them to the States of the island; and his lordship has no doubt that the States will readily, in concurrence with his Majesty's Government, adopt such measures, and grant such supplies of money, as shall be necessary for providing a suitable gaol and house of correction, in which proper regulations and discipline can be enforced. It appears to Lord John Russell, that a prison board, to act gratuitously, should be forthwith formed in the island of Jersey—to consist of seven members—three to be chosen by the States, and the remaining four to consist of the Lieut.-Governor, the Bailiff, Sheriff, or Deputy Sheriff (usually

Elizabeth College.—The five guinea medal, given by Captain Sir Edmund Lyons, R.N., for the best Latin Scholar above the second form, but who has not completed his thirteenth year, was awarded to Ozanne, ma., of the fifth form, on Wednesday, the 30th ult.

Miscellaneous.—Major General Sir James Douglas arrived here on Wednesday, the 10th of May, and on the following day was sworn into the office of governor of the island.

Messrs. Vaudin and De Putron launched, on the south beach, a vessel of about 120 tons. She has received the name of the Halcyon.

At the distribution of prizes for the session of 1836-7, at the Westminster School of Medicine, we observe that Mr. O. Manger, son of Dr. Manger, of this island, obtained the first prize in botany, and the second prize in materia medica. There was a numerous assemblage of pupils, and the competition was severe.

On the 5th of May, Mr. Martin Manger, of the *Foules*, passed his examination, and was admitted a member of the Royal College of Surgeons, London.

The North or 3d Light Infantry Regiment of Militia practised ball firing on the 15th of May, on Lancreuse Common. The targets were placed at the distance of one hundred yards, and each company provided with three hundred balls, or about five rounds to each man. The following is the official return of the firing:

No. 1 company.....	91 balls in the target.
2 "	93 " "
3 "	102 " "
4 "	84 " "
5 "	78 " "
6 "	94 " "
7 "	70 " "
8 "	73 " "

This return of ball practice is by far the most indifferent on the records of the regiment. It is not difficult, however, to account for this marked deficiency, as a great number of young recruits have recently been added to the corps, many of whom had never fired a ball before.

denominated the Viscount or Deputy Viscount, and one of the Receivers of his Majesty's revenue. One of the members to act as treasurer. The board to assemble at stated times, and three members to constitute a quorum.

This board to have the direction of all matters relating to the alteration, repair, and discipline of the gaol, and of the house of correction which it is proposed to build; the appointment, remuneration, dismissal, and suspension of the officers thereof; the arrangements for transporting convicts to England; and the collection and expenditure of the prison funds.

The insufficient dimensions of the present gaol, its insecurity, and the facilities which it affords of communication between the prisoners, appears to Lord John Russell to render it necessary that a house of correction should be built for the purpose of confining convicted prisoners, on the ground attached to the present gaol.

In order to accomplish an object so beneficial for the moral and social welfare of the island, it will be requisite that the States of Jersey should contribute the sum of £2,000; this sum to be issued by instalments to the treasurer of the board, as the building proceeds. Sixty days' notice, at least, to be given to the treasurer of the States previously to every day on which the issue shall be required to be made to the treasurer of the prison board.

With respect to the future maintenance of the gaol and house of correction, Lord John Russell is of opinion, that, in order to ensure a uniform and due supply of money for that purpose, the Receivers of his Majesty's revenue shall annually

pay into the hands of the treasurer of the prison board the sum of £300 sterling, and that the States of Jersey shall also direct their treasurer to pay annually the sum of £300 sterling into the hands of the treasurer of the prison board. These sums to be paid at such times as may be hereafter determined.

Should the sum of £600 per annum thus raised prove insufficient for the due discharge of the functions assigned to the prison board, the deficiency to be provided for by the States of the island, which appears to Lord John Russell to be but just, upon the principle that every community is bound to provide for the expenses attendant on the restraint and punishment of its criminals. But should the sum of £600 per annum be more than sufficient for the purpose above alluded to, the surplus is to be allowed to accumulate for the purpose of meeting any expenses that may arise for repairs, or for the enlargement of the gaol or house of correction, &c.

Lord John Russell desires you will press these suggestions upon the early attention of the States, and his lordship trusts, that that body will pass such measures as will enable Lord John Russell to obtain a confirmation of them by his Majesty in Council.

I have the honor to be, Sir,

Your obedient servant,

(Signed) F. MAULE.

Lotteries.—The following is a copy of the representation of the States on this subject, approved of by that assembly at its last sitting:

"To the King's most excellent Majesty in council. The humble representation of the States of the island of Jersey, sheweth,—

"That the said States are empowered by law to pass provisional ordinances without the necessity of recurring to your Majesty for your royal sanction thereto, which provisional ordinances endure for three years.

"That in virtue of that law, and in conformity with what had been done by them and their predecessors from time immemorial, the States passed an act on the 19th day of December, 1836, authorizing, under the inspection of one of their committees, the drawing of four lotteries within the following year, on the terms and conditions mentioned in the annexed copy of the contract entered into by the said committee with the contractors.

"That this act was passed and registered without any opposition, either on the part of the bailli, who may put his dissent on any measure of the States during the sitting, or of the lieutenant-governor, who may prevent the registry thereof, by using the negative voice which is vested in him by the constitution; and, therefore, the said act became complete, and could legally be put in immediate execution.

"That, nevertheless, the committee did not proceed to contract for the said lotteries until the 17th day of January, 1837, when they were adjudged to Mr. John Aubin for the sum of fourteen thousand eight hundred livres, old French currency.

"That under such circumstances the States had no reason to apprehend that any opposition had been made to the enactment above-mentioned; they were greatly surprised, therefore, when, on the 18th day of February, 1837, an order from your Majesty in council was laid before the court, by which it appears that the said act had incurred your Majesty's disapprobation, and had been in consequence disallowed.

"The States have no knowledge of the motives nor of the representations which have called for this unusual exercise of the Sovereign's power; they are, therefore, unable to answer those allegations which have induced your Majesty in council to disallow their said act. But as they have deemed it expedient to use in this case the right they possess by law, to stay the registry of

any order which they consider contrary to their privileges or their interests, until they shall have had the opportunity of being heard by your Majesty in council, they think it incumbent on them humbly to lay before your Majesty the reasons which have led them to have recourse to this measure.

"The States had on a former occasion resolved on giving up altogether the system of lotteries, as a means to increase their revenue, and for some years they have in consequence abstained from ordering them. But, unfortunately, the States of the neighbouring island of Guernsey do not entertain the same opinions with regard to the evil of lotteries, and have continued them there. The frequent intercourse between the islands has enabled the contractors of the Guernsey lotteries to sell a very great portion of their tickets in this island, the larger and the more populous of the two. The States of Guernsey have, therefore, been deriving a revenue from the island, applicable to works of public utility, which was lost to Jersey. The States, seeing the inutility of abolishing lotteries here, so long as they are continued in Guernsey, and thinking it but just that if the system must exist, they should have the benefit arising therefrom, instead of allowing the money laid out to go to Guernsey, decided as above-mentioned, to cause a few lotteries to be drawn here.

"The States having in consequence entered into an engagement with the contractors for the said lotteries, could not register your Majesty's Order in Council without subjecting themselves to pay a considerable indemnity to those contractors, who had already disposed of a great portion of their tickets.

"And, moreover, the States humbly beg leave to submit to your Majesty in council the inconvenience which would arise to the public service, if, exercising as they have done in this instance their undoubted right to pass a provisional ordinance to endure for three years, it could be in the power of any individual, by means of a representation, of which no previous knowledge is given them, to obtain from your Majesty in council an order to abrogate the same. They humbly observe that on former occasions, whenever objections to an ordinance of that nature have been laid before your Majesty in council, it has been usual to communicate them to the assembly, and to call upon the States for their answer, before any steps were taken in the matter, so that your Majesty in council might be enabled to hear both sides, and to decide with a full knowledge of the question at issue.

"The States are far from entertaining the idea of opposing any line of policy which your Majesty's Government may think it expedient to adopt with regard to this island, so long as it does not interfere with its privileges, infringe its constitution, or prejudice its interests, and the States feel persuaded that your Majesty's Government will not willingly recommend any measure to your Majesty, which would have the effect of depriving them of any portion of their long recognized rights.

"Therefore the States humbly pray that your Majesty will be graciously pleased to reconsider your order in council of the 28th of January, 1837; and, if the foregoing observations are not deemed sufficient, that the States may be allowed to be heard by their counsel at the Board of the Privy Council in defence of what they consider to be an indefeasible right, and that your Majesty will be graciously pleased to grant them in the premises such relief as in your Majesty's wisdom shall seem meet.

"By ORDER OF THE STATES.
Jersey, this 3d May, 1837."

THE
GUERNSEY & JERSEY MAGAZINE,

JULY, 1837.

IRISH POOR LAWS AND GUERNSEY LANDED
TENURE.

THE miserable condition of the people of Ireland is recognized by politicians of every party, and various propositions have been made to remedy this admitted evil. It is not our intention to examine any of the various plans recommended by different classes of reformers, such as the repeal of the union, a domestic parliament, emigration, and the abolition of tithes, for none of these seem to us commensurate with the calamities proposed to be relieved, while they are, in very many respects, altogether inapplicable, and clogged with insuperable objections. The recent ministerial measure of a Poor Law originated, we sincerely believe, in an amiable and humane spirit, but its wisdom and efficiency may be fairly questioned. Society must be based on a vicious principle, when the masses want the necessaries of life, while a fractional majority command superfluous luxuries; and it is faulty legislation which attempts to trim the balance by enactments framed rather to alleviate an evil, than to prevent its existence. In the case of such defective crops, as may produce famine, a temporary assessment on the rich to provide for the poor is both charitable and politic; but to give legal validity to a permanent taxation of this nature, is a direct acknowledgment that the distribution of national wealth is unjustly apportioned. Statesmen, like physicians, should rather deal in preventatives, than palliatives, and it would become them more to adopt a system which will check the growth of disease, than occupy their time in devising schemes for its periodical mitigation.

As a question of political economy, we incline to think that the subject of poor laws, though frequently discussed, is as yet very superficially understood. Those who have written on it seem anxious to make it square with existing habits, laws and institutions, and bend it violently to the circumstances of the day. It appears so obviously just

and reasonable that the wealthy should give some portion of their excess to the indigent, and parochial relief is so direct and easy a mode of effecting this, that we cannot be astonished at the very general feeling in favour of a poor law. But it rarely occurs to ask this question: why should this invariable necessity exist? In the answer to that question we may find that a poor law is really the effect of a fundamentally bad system of government; we speak here of a poor law, as an annual parochial assessment, specially enacted because the legislature is conscious and prescient that the masses must starve, unless this provision be made for their existence; from which it follows, that the legislature acknowledge the unfair and partial distribution of land among the community.

At the root of this very complicated question, lies the difficulty of determining in what consists the right of exclusive ownership in the soil? We are not about to examine any of the various theories advanced as solutions of the problem, for they all rest on a bare hypothesis; and even that of Locke, in his *Essay on Civil Government*, is rather an illustration, than a proof. It is far from true, as he contends, that individual proprietorship has been acquired by labour, or that man has mixed the sweat of his brow with the ground appropriated to his use. Immense tracts of land in England and Ireland were forcibly seized on, and usurped, by the ancestors of those who now hold them, and the unity of possession has been preserved by the iniquitous law of primogeniture. Now, we maintain, as a general principle applicable to all countries, and valid at all times and under all circumstances, that the concentration of land in a few hands tends to demoralize and pauperize a nation, corrupting the moral feelings of the privileged classes, and brutalizing the operative sections of society. That such a system is destructive of the increase of national wealth is fully admitted even by Malthus, whose writings bear abundant evidence of his attachment to the aristocracy. We make the following extracts from his work on the *Principles of Political Economy*: "Over almost all Europe a most unequal and vicious division of landed property was established during the feudal times. In some states the laws, which protected and perpetuated this division, have been greatly weakened, and by the aids of commerce and manufactures have been rendered comparatively inefficient. But in others these laws still remain in great force, and throw very great obstacles in the way of increasing wealth and population. A very large proprietor, surrounded by very poor peasants, presents a distribution of property most unfavourable to effective demand. Adam Smith has well described the slack kind of cultivation which was likely to take place, and did in fact take place, among the great proprietors of the middle ages. But not only were they bad cultivators and improvers; and for a time perhaps deficient in a proper taste for manufac-

tured products; yet, even if they had possessed these tastes in the degree found to prevail at present, their inconsiderable numbers would have prevented their demand from producing any important mass of such wealth. We hear of great splendour among princes and nobles in every period of history. The difficulty was not so much to inspire the rich with a love of finery, as to break down their immense properties, and to create a greater number of demanders who were able and willing to purchase the results of productive labour. This, it is obvious, could only be effected very gradually. That the increasing love of finery might have assisted considerably in accomplishing this object is highly probable; but these tastes alone, unaccompanied by a better distribution of property, would have been quite inefficient. The possessor of numerous estates, after he had furnished his mansion or castle splendidly, and provided himself with handsome clothes and handsome carriages, would not change them all every two months, merely because he had the power of doing it. Instead of indulging in such useless and troublesome charges, he would be more likely to keep a number of servants and idle dependants, to take lower rents, with a view of having a greater command over his tenants, and perhaps to sacrifice the produce of a considerable portion of his land in order to encourage more game, and to indulge, with more effect and less interruption, in the pleasures of the chase. Thirty or forty proprietors, with incomes answering to between one thousand and five thousand a year, would create a much more effective demand for wheaten bread, good meat, and manufactured products than a single proprietor possessing a hundred thousand pounds per annum." Pages 430, 431.

The favourite topic with the panegyrists of the British constitution, is the tripartite division of power among the three estates of the realm, the king, lords, and commons. The theory is beautiful, and did the practical workings of government correspond with it, we should now be enjoying a substance, instead of being deluded by a shadow. Every one knows and feels, who has capacity to understand, and honesty to avow, the truth, that the king has lost his prerogative, and the people been plundered of their rights, both of which have been silently, but most effectually, usurped by the aristocracy. The gradual destruction of this theoretical balance of power has been accomplished by various means, but the primary are the unequal division of land, first, at the conquest, secondly, at the reformation, and thirdly, more especially in reference to Ireland, at the revolution of 1688; while the gross inequality mentioned has been perpetuated by the law of primogeniture.

It is in the sister island, that the evil of this monopoly is felt with the greatest rigour, for it is there accompanied to a fearful extent by the collateral disadvantage of absenteeism, since all the great land-

owners, whether led by ambition or the love of pleasure, will prefer to reside in London, that metropolis being the capital of the United Kingdom, and the abode of royalty. The immediate consequences of absenteeism and primogeniture are to keep a country stationary in wealth and civilization, and to lower the moral standard of the inhabitants; and, as the active principle of population will ever push itself forward, till it trenches on the bare means of subsistence, the results must be constant want and misery, accompanied by periodical famine. Such we believe to be the causes of evil which have long operated, and still are operating, on Ireland, and until they are exterminated, root and branch, and a new system adopted, we utterly despair of her regeneration. But the remedy is easy, nor is it an experimental one: it comes recommended by the successful usage of ten centuries; it is the Guernsey system of tenure, founded on justice, equity, and utility. But before we point out in detail, how it would benefit Ireland, we must clear away some few difficulties of a general character, which flow from absenteeism and primogeniture.

We are aware that the political economists of the Edinburgh Review have denied that absenteeism is an evil; but that periodical is famous for startling paradoxes. Indeed, what will not writers affirm who have publicly declared that they assume as "established and undeniable, that there is nothing in the nature of truth which makes it necessarily good." We contend that absenteeism is a social evil, because it keeps the fund of wages stationary, while the numbers of the working population increase and continue to press hard on the means of subsistence.

We shall suppose a case for the sake of illustration. Two landed proprietors, A and B, have each a rental of £10,000 per annum; A fixes his residence at Naples, and there spends the whole of his revenue. His expenditure becomes a clear addition to the fund of wages among the Neapolitan workmen. It is equally clear that the fund of wages among his Irish tenants, and the tradesmen and others living in the neighbourhood of his estate, must remain stationary. B, on the contrary, is resident and returns his income among the rural or mechanical population in his immediate district. It is obvious that B continually increases the fund of wages which, if laid out in beneficial reproduction, appears in the shape of new capital, by which B and all his neighbours become enriched. We have not said, be it observed, that absenteeism directly diminishes the fund of wages estimated in any given year, but we have contended that it keeps that fund fixed and stationary and prevents its accumulation. This has been for ages, and still continues to be, the financial position of Ireland, while its population has been continually increasing, with no other checks but vice, disease and famine.

Several causes contribute to Irish absenteeism, the chief of which is the law of primogeniture. By the concentration of landed property in the hands of few families, we see individuals holding immense properties in England, Scotland, Ireland, and Wales, and, as man is not endowed with ubiquity, some of these estates are never destined to behold their master. Thus two serious evils are created ; the proprietor has no sympathies with his tenants, while the complete absence of a middle class reduces society into the feudal condition of lords and serfs.

Such, then, do we consider to be the fundamental evils of Ireland, and though we do not shut our eyes to minor grievances, yet we believe them to be entirely collateral and incidental to the very partial and unjust division of property that obtains in that country. This subject has been kept out of sight in the brawl of party, which is rather a battle for the transfer of power among the two factions of aristocracy, than an honourable struggle to secure the rights and happiness of the people.

For all practical purposes, Ireland must be considered as an agricultural nation ; she has no surplus capital with which to establish manufactures, or equip a mercantile marine ; and so long as she remains united to England, (and may that union for ever last,) it is her interest to devote all her energies to husbandry, so that she may become the granary of the empire, and be to Great Britain what Sicily was to ancient Rome. But the experience of centuries abundantly proves that this result can never be obtained, so long as the present tenure of land exists, and so long as the soil is divided among a fractional number of proprietors. Now, the plan we are about to recommend would generate a class of industrious and independent yeomen, while it would, at the same time, preserve intact all the money rights of those in possession, and thus establish justice without spoliation. This is to be effected by the Guernsey system of landed tenure, the operations of which we shall briefly describe, having already treated of it at some length, in the eighth number of this Magazine, under the head of "Ireland and Guernsey."

The first point to which we desire to turn the attention of the reader is the moral effect produced on the people, by the system here adopted of holding land. Leases for years are unknown, and the relation between landlord and tenant, as it exists in Great Britain and Ireland, is entirely unrecognized. The working farmer covenants to pay a certain amount of rent annually, either fixed in sterling money, or fluctuating according to the price of wheat : and so long as he performs this single obligation, he remains immoveably perpetual tenant, and his children, on his death, inherit the estate on the same terms by which the father enjoyed possession. By this simple arrangement, the landlord obtains all that he is entitled to ; to wit, his rent ; while the tenant

is free and independent to exercise every act of proprietorship, both direct and collateral. He is completely emancipated from the yoke of slavery, and can vote at elections for a magistrate, a constable, or any public functionary, according to the dictates of his conscience, fearless of being ejected from his farm. This is not the case in England or Ireland, where the landed aristocracy compel their tenants to select one of two alternatives, perjury, or destitution. Hence the demand for the ballot; but it is clear that were the Guernsey tenure adopted, and leases made perpetual as with us, the protection of the ballot would not be required; we mean in reference to country voters: of course, it would not protect tradesmen in towns, to whom the Ballot is of vital importance, and this view of the subject alone most powerfully recommends its adoption to all who appreciate the value of a moral and highminded population.

As an auxiliary to the usefulness of Savings Banks, the Guernsey tenure deserves every consideration. The facility of obtaining a proprietary right in land, without paying down the purchase money, is a strong incentive to early habits of economy and prudence. A farm, of course, requires to be stocked, and with the prospect of agricultural independence before him, a young man will deposit his earnings in the Savings Bank, till he has accumulated sufficient capital to purchase seeds, cattle, and implements of husbandry. It is this hope, or, under Providence, we may say, it is this certainty of bettering his condition, that makes a Guernseyman the eminently careful, cautious, and farseeing person, that he is; while, on the other hand, it is fair to conclude, that the absence of all prospective amelioration of his condition, renders an Irishman reckless, inconsiderate, and imprudent. And to what, in fairness, can this difference of character be attributed? Most certainly, to no other cause than the political institutions of the two countries; those of Guernsey opening to every individual a wide sphere of comfort and respectability, while those of Ireland close and lock the door against any rise above the condition of a serf!

So far, our argument relates solely to the moral standard of citizenship, a subject, we are well aware, thought lightly of by a certain school of political economists, whose narrow views never range beyond the production and distribution of wealth. But the degree and the solidity of national wealth essentially depend on the character of a people; we speak not of bullion, or the exchanges, or the excess of exports over imports; we reject the affectation and the jargon of monetary nomenclature; by national wealth, we understand the comforts and elegancies of life, principles of industry to acquire them, and principles of honesty to respect the property of our neighbours; the absence of outrage, of machine breaking, of rickburning, of hamstringing cattle;

habits of prudence, economy, and restraint, and the wisdom of appreciating in what consists a competency, and the disposition to live within one's income. We may, with truth and without partiality, affirm that these virtues are indigenous to the soil of Guernsey, and rooted in the native character; in some cases, even to a culpable extent, producing a denying parsimony. But in the balance of the account, the good immeasurably preponderates over the evil, and one of the grand results is, that we have no poor law, in the current acceptation of that term.

Guernsey possesses two hospitals; one is situate in the town parish, called St. Peter-Port; the other, called the country hospital, is in the centre of the island. In all communities we find physical disease, accidents, and moral delinquencies; now these two hospitals meet these contingencies; the old and infirm, the deaf, the blind, and the insane here find a refuge; a poor man, afflicted with an illness that prevents him from following his labour, or who casually fractures a limb, here receives surgical assistance; while profligates and drunkards are kept within the walls to produce moral reformation. But they are not the receptacles of pauperism, in the English sense of the phrase, for pauperism does not exist with us; nay, you might as well look for a black swan, as for a walking beggar. And to what are we to ascribe this singular display of civilization? Simply, to the system of landed tenure, its influences and its consequences; it makes men feel that they are men, and they respect the dignity of their nature too highly to promote their own degradation. But observe; we have no primogeniture, no absenteeism, no eldest sons, and, Heaven be praised, no nobility.

It is our wish, and our duty, to write the truth; nor will we willingly disguise a single fact. Occasional distress exists here, as elsewhere, and the mode of relieving it is peculiar. Instead of wounding the feelings, and separating a husband from his wife, and a parent from his child, as is the new scheme in England, the really necessitous, who are deserving of temporary relief, are visited at their own houses, and receive charity in secret. Independently of this succour, the Guernsey ladies are assiduously employed in seeking out those who are genuine objects of compassion, and though Mrs. Fry may be an *oasis* in the deserts of English philanthropy, the feelings by which that amiable lady is influenced, are here among the common household virtues. And why should this be? We say again, it is the tenure that creates these feelings, for the moral standard once purified and elevated, its ramifications must spread far and wide, and generate at one of universal benevolence. Read the history of Ireland; read the Irish newspapers; read the debates in parliament; reflect on the dormant civil war even yet waging in the minds of Orangemen and Catholics; and then, statesmen of England, contrast the state of Ireland with that of the Channel Islands, and learn wisdom from the descendants of the Conqueror.

Let us now turn from the moral question, and glance at the subject of wealth. This we cannot, at present, exhibit so forcibly as we could wish, for statistical documents on which we had partly depended in preparing this article, are not yet completed ; yet, we shall be able to put some facts on record, and what is now deficient will be supplied on a future occasion.

The territorial surface of Guernsey contains 15,366 English acres, of which 10,240 are under cultivation. In the town parish, there are 1,728 inhabited houses ; in the country, 1,748. The estates are small, none exceeding seventy acres ; and the average amount of land attached to each house throughout the nine country parishes, may be computed at five English acres. This minute subdivision causes the whole island to be cultivated, as a garden ; not an inch of soil is lost, and even the hedges are planted with furze, for winter fuel. The crops are abundant, and far exceed those of England. The average produce of wheat per acre is thirty-three Winchester bushels, and as much as fifty-five to sixty have been raised. Five hundred bushels of potatoes per acre is an ordinary produce, and the hay crops average three tons and a half, English weight. Twenty-two tons of parsnips per acre is considered a fair crop. 2,500 milch cows are kept, yielding an annual revenue of £32,520 ; 550 cows are annually exported to England, and the same number of cattle slaughtered for home consumption. Vegetables, fruit, poultry, eggs, and cider, are most abundant, and the quality excellent. Now the question arising out of these facts is simply this : Where, in Great Britain or Ireland, can be found 10,000 acres equally productive ? And here we speak, in the restricted sense of the political economists, of mere wealth ; where are we to look for the same amount of produce, from an equal surface ? Let it not be said that we have richer land, a more favourable climate, or better implements of husbandry ; this is not true ; we have many disadvantages, as tremendous gales of wind in winter, and scorching droughts in summer ; but we have one paramount superiority, and that is our mode of landed tenure,—the true source of our agricultural wealth.

The reader will observe that we have confined our proofs and illustrations to Guernsey, but we might easily have extended them to Jersey, and thus strengthened our arguments by additional facts. But one point we must mention, in reference to the sister Channel Island. Her mercantile marine, in tonnage, is only inferior to those of Dublin and Belfast, being superior to that of Cork, the third of the Irish ports ; and the number of sailors, employed by Jersey in her merchant vessels, actually exceeds that of Belfast. Of her colonial establishments, her domestic and foreign fisheries, her South American trade, and her agricultural resources, we need not here speak ; the series of articles

already published in former numbers of this Magazine, "On the Commerce of Jersey," have exhausted these subjects, and presented a vast fund of invaluable information to the merchant, the financier, and the political economist.

We have now faintly sketched some of the important benefits resulting from our local system of landed tenure. We find a skilful cultivation of the soil; harvests unusually productive; habits of economy, and moral prudence, with the total absence of all outrage, among the population; independence of mind and character, and perfect freedom in voting at the election of magistrates, constables, and other civil officers; and motives to invest in the Saving Banks among young people, as the first step to acquire property in land. In addition to these advantages, pauperism and mendicity are unknown.

Were this system tried in Ireland, the same consequences would ensue, as are felt here; and if the nobility refuse to adopt these recommendations, lest they should diminish their influence over parliamentary elections, there is no reason why the London companies, who hold immense estates in Ireland, should not try the experiment. It is certain that their rents would be doubled in amount, while they would be regularly paid, and the odious race of middlemen be destroyed. It is in the power of these companies to take the lead in the regeneration of unfortunate Ireland, and religion and patriotism turn with hope from the aristocracy to them. We have had enough of parliamentary compromises and speculative legislation; let us now try what is practical, and what centuries have demonstrated to be the true basis of national prosperity. Away with the miserable trickery of poor laws, a pretended mercy growing out of a designed and plotted injustice; divide the land, as God intended it should be divided, among the masses of the community, and when they see before them the material out of which their industry can extract a subsistence, the country will swarm with independent yeomen, while overseers and poor law commissioners will become mere names of ancient history.

STANZAS

ON THE RUMOURED CESSION OF THE ISLAND OF CUBA BY SPAIN TO ENGLAND.

FAIR are Cuba's palmy groves,
Beauteous swell its cedar hills,
And o'er all such fragrance moves
As the soul with rapture fills.

In this paradise alone
Should the gentle Indian dwell,
But the spotless race is gone,—
By the Spaniard's swords they fell.

And the writhing negroes' cries
 'Neath the dark Canarian's rod,
 On the breeze in anguish rise
 To their Maker and their God.
 Hark! the distant cannon's sound
 From the shoal-encumbered sea.
 O'er the waves that 'neath them bound
 Pursued and purquer flee.
 Yet such space betwixt them lies,
 None can boast their victory won;
 Swift the gloomy slaver flies;
 Swift the avenger rushes on.
 From the dusky slaver flung,
 Striped with gold and stained with blood,
 High the Spanish standard hung
 Glaring wild athwart the flood.
 Still their foamy track they urge,
 Near and nearer to the shore
 Loudly peals the indignant surge,
 Loud the British cannon's roar.
 Through her crowded decks, the shot
 Rakes along with deadly aim;
 Woe the wretched negroes' lot
 Circled round with fire and flame.
 God Almighty! do my eyes
 Fail me at their greatest need?
 Do the fiends of hell arise?
 Men could not commit the deed.
 Shackled, from their dungeon-hold
 Two by two,—by tens,—by scores;—
 Must the dreadful tale be told;—
 Lo! the guilty vessel pours
 All her cargo to the deep,—
 Fearful rose their dying yell,
 On again the water's sweep,
 Not a trace is left to tell.
 Can the Christian flag of Spain
 O'er such deeds for ever wave;
 O'er the slaughter and the slain,
 O'er the tortures of the slave!
 Moro! from thy castle wall
 Once the red-cross standard flew,
 Prompt at charity's blest call
 And to freedom ever true.

P.

SUSAN LILLE ; A TALE OF THE REIGN OF JAMES THE SECOND.

DURING the reign of Charles the Second, a powerful party had been formed to exclude the Duke of York, afterwards James the Second, from the succession to the throne, his avowed attachment to the Roman Catholic religion having justly alarmed all the friends of the reformed doctrines. After his accession to the crown, the Duke of Monmouth, a natural son of Charles, placed himself at the head of an armed force, resolved to contest the claims of James by the sword. Had he possessed

the political sagacity of the Prince of Orange, the latter would, in all probability, have died with no higher title than that of Stadtholder of Holland ; but he was rather impetuous than discreet ; and he perished, as did the Earl of Essex, with the title of a rebel, though he more justly deserved the appellation of a madman.

It is rare that a Tiberius looks out in vain for a Sejanus to be the executive minister of his cruelty and his revenge. James the Second found congenial spirits in Judge Jeffries and Colonel Kirke, to whom he gave orders to execute on the scaffold all the adherents of Monmouth, who had escaped from the battle of Sedgemoor. They fulfilled his wishes with a savage and remorseless rigour that outraged all the feelings of humanity. Those who evaded the judicial ferocity of Jeffries, expired under the exterminating sword of Kirke.

Bridgewater was the theatre of some of the most deliberate murders of Kirke. On entering this town, he led to the scaffold nineteen of the most respectable inhabitants, without preferring any accusation against them, or hearing a syllable of evidence in their defence. He made a jest of his cruelty, and drank to the health of James and Jeffries amidst the expiring groans of his tortured victims. He is said, from wanton barbarity, to have caused a man to be suspended three times in one day by the neck, before he allowed the executioner to deprive him of life. The wretches who served him, were his soldiers, whom, in derisive mockery, he called his lambs.

At this time, resided in Bridgewater, a young lady, named Susan Lille. Formed in the best proportions of her sex, the rose of England blooming on her cheeks, the loveliness of her person drew around her a crowd of admirers. But, though nature had been prodigal to her in the gift of personal beauty, she had been equally bountiful in the more valuable graces and charms of intellect. Yet some dark mystery hung round her, and threw an occasional cloud over her beaming countenance. She lived alone in elegant competency, but she seemed to be relationless, while her secluded and solitary mode of life roused the prying curiosity of the whole neighbourhood.

In the vicinity of Bridgewater lived, on his patrimonial estate, a young gentleman named Sidney, who was deeply enamoured of Susan Lille, and had made her an offer of his hand. He was, in truth, the object of her secret choice, for though her tongue was silent, her eye was eloquent. Sidney felt that he was loved, and attributed her diffidence to the fear of disclosing that mystery which attached to her situation. Love such as his brooks no impediment, and he threw himself at her feet, earnestly imploring her to unite her fate with his, and let nothing oppose their union. Susan could no longer resist the ardent affection of her lover, and thus disclosed to him her sad history.

"My father was a man of distinction ; but he owed his rank, his fortune, and his title, to Charles the First, who honoured him with his personal friendship. After the execution of that unfortunate monarch, my father was chiefly instrumental in aiding the escape of the heir to the throne, from the fanatics who had usurped the government. Some time elapsed, before he was suspected ; but, during the last year of Cromwell's reign, he was attainted of high treason, and condemned to death.

"I was then only a year old, so that this tragical event was only known to me at a period of life, when the lapse of time had blunted the edge of sorrow. But scarcely was I capable of reflecting on the misfortunes of

my father, than I was obliged to weep over the errors of my mother. It is true that she was rather unfortunate than guilty, and though ascetic moralists may stigmatize her weakness as criminality, yet in my estimation at least, she was rather to be pitied than blamed. The proscription had deprived her of her property and her station in society. She had not sufficient fortitude to bear up against this adversity, and, in an evil hour, changed her name, and married one of the parliamentary leaders, who had risen to opulence and power on the murdered body of his sovereign. At the death of Cromwell, the system of democratic anarchy ceased: opinion underwent a complete revolution, and the people who had vented their fury against royalty, now directed their vengeance against the regicides.

"Immediately on the restoration of Charles the Second, my mother and her husband sought refuge in Holland, then the most free country in Europe: but this asylum was violated. Four Englishmen sought out the regicide; they entered the house we occupied at the Hague, and rushed, sword in hand, on their unfortunate countryman. Although ten years have elapsed since that awful scene, it still haunts my imagination, and presents itself to me in all the horrors of vivid reality. As soon as he saw his danger, the intended victim drew his sword, for he was a man of resolute courage; my mother threw herself between him and his aggressors; but resistance was vain, and the friend of Cromwell, pierced with a dozen wounds, was stretched a lifeless corpse on the floor of his apartment, while my wounded mother fainted on his mutilated body.

"During this horrible scene, I was asleep in a small room at some distance from the fatal spot; suddenly the door was opened; I heard deep groans and the movement of a person approaching my bed; I raised myself, convulsed with terror, and stretched out my frozen hand to resist the object that I fancied was a spectre; I was immediately seized with violence round the waist; the silence of the night, the inarticulate sobs, which escaped audibly from this unknown intruder, with the dread of an apparition, increased my alarm; I called on my mother for protection; but scarcely had I pronounced the name, than the person, who clasped me, fell to the ground, and dragged me down in the fall; I then lost all consciousness.

"How long this trance continued, I know not: but as soon as I recovered my senses, I saw around me several strange women who were endeavouring to restore animation; I was, as yet, ignorant of the dreadful catastrophe of the evening, and I concluded that some frightful dream had disordered my faculties. This illusion, however, was soon dispelled; as soon as my strength returned, I took up a lamp, approached my bed, and opened the curtains. . . . a cry of intense agony escaped me, the lamp fell from my hand, and was extinguished; ah! Sidney! I had seen the pale and mutilated body of my mother. I threw myself on her scarcely animate form, and embraced her with tenderness and emotion; by slow degrees her torpid limbs felt some returning warmth; she unclosed her dying eyes, and related to me the dreadful tragedy which had deprived her of a husband, and was soon to deprive me of the only friend I had in the world. I endeavoured to encourage her with hopes of recovery, and inspire her with a serenity that I did not myself experience. But she was too sensible of her real state; she pointed to her wound, and the blood that stained the bed; 'My dear child,' she faintly murmured, 'I am sure that I have only some few moments to live. Ah! if I had your

innocence ! if I had not married a second time ! but I see you pardon me, and that conviction soothes the agonies of death.' Those were her last words."

During the recital of this dreadful narrative, Sidney had deeply sympathized with the beautiful speaker, whose wounds were opened afresh. He pressed her hand with ardour to his lips, exclaiming, "Dear Susan, you have indeed drained, in early life, the cup of adversity to the dregs, but though all the world abandon thee, thou art dearer to me on that account."

"Sidney," answered the trembling mourner, "had I not highly esteemed your virtue, I would never have made you the confidant of my afflictions. You have now learned that my father died on a scaffold, and that his widow married a regicide. By concealing the secret of my birth I am an object of ungenerous suspicion : were I to avow it, my degradation would be complete ; thus am I cruelly placed between misfortune and opprobrium. Fly me, then, for ever ; pity, but do not despise, me."

"Never," exclaimed Sidney passionately, "I will never abandon you ; the sad story you have related, has, if possible, increased my affection and my esteem. Give me your hand in marriage ; I will endeavour to console you for the loss of a father, the weaknesses of a mother, and the contumely of the spiteful vulgar."

"No, Sidney, no ; it cannot, it must not be ; I cannot make you the sharer of my disgrace ; besides, I feel that some strange fatality attends me ; and were I to become your wife, my evil destiny would embitter all your hopes of happiness."

"Nay, Susan, you must not refuse me ; banish these idle fears ; let me have the felicity of calling you mine ; ah ! do I rightly interpret that glance !—may I embrace my wife ?"

Susan, overpowered, softly articulated her acquiescence, and Sidney was the happiest of men. Alas ! how fleeting is happiness in this sublunary world ! A violent noise was heard at the garden gate. With a lamp in his hand, the startled lover opened the door. Instantly a crowd of soldiers rushed in, and seized him in the king's name ; the prisoner uttered a cry of astonishment ; Susan hurried forward to the spot, but the door was quickly closed against her. She waited and listened long and anxiously for the return of Sidney, till, wearied with doubt and alarm, she returned to her chamber, sunk into a chair, and abandoned herself to the most bitter reflections.

Her lover was confined during that night in a dungeon ; on the following morning, he was led before Colonel Kirke ; a council of war was assembled in his apartment ; and the president at once commenced his interrogatories.

Kirke.—Mr. Sidney, you are accused of having aided and abetted the rebellion of the Duke of Monmouth.

Sidney.—I admit having been a friend of the king's brother, but I am not a rebel or a traitor.

Kirke.—Monmouth was a traitor, and so were all his friends. How dare you avow so culpable a friendship ?

Sidney.—I am not so base as to flatter a judge and betray a friend. The Duke of Monmouth once saved my life ; I honoured him during his prosperity ; I lamented his errors ; and I will not now cast reproaches on his memory.

Kirke.—At least you had some knowledge of the conspiracy.

Sidney.—The Duke of Monmouth esteemed me too much to make me a party to a rebellion; the battle of Sedgemoor announced to me his projects, his crime, and his defeat.

Kirke.—But after the battle of Sedgemoor you procured an asylum for the traitor.

Sidney.—I perceive, Colonel Kirke, that I have only a few moments to live; but I will not disgrace myself by falsehood or pusillanimity. It is true, that I attempted to screen the Duke of Monmouth from punishment; had he been victorious, I should have quitted England a voluntary exile; but as he was in misfortune, I acted towards him as a friend.

Kirke.—Sidney, I admire your frankness. What think you of King James and his minister Jeffries.

Sidney.—Colonel, pronounce my sentence.

Kirke.—Answer my question; I command you in the king's name.

Sidney.—I respect my sovereign; I would rather die in his defence, than perish on a scaffold. But when he chooses a fanatic for his minister, and empowers a soldier to judge his subjects, he ceases to be worthy of commanding Englishmen.

Kirke.—He pronounces his own condemnation. Lead him to the scaffold.

The intrepid Sidney was forthwith conducted to a dungeon, to be there incarcerated till led out for execution. As soon as he was alone, he opened a small vein with a pin, and, in letters of blood, wrote the following note to Susan. "My dear wife, your prediction is accomplished: I am condemned as a rebel, but I die innocent and virtuous, and worthy of you. Fly this cruel land which devours its people. Be comforted; we shall meet again in another and a better world." The gaoler, tempted by the diamond brooch to which the pin was attached, undertook to deliver the note. Immediately after its perusal, Susan hurried to the house of Colonel Kirke, and demanded a private audience. As soon as she saw him, she fell at his feet, and implored the pardon of her husband. Her beauty, her earnestness, and her sorrow, even touched the heart of this unfeeling ruffian, "Miss Lille," he said, "the fate of your husband rests solely in my hands; if I save his life, what shall be my reward?" "If you are thus merciful," exclaimed Susan, "you will do an act of justice in the sight of God, and in my eyes you will be the most generous of men."

The personal charms of the fair suppliant had inflamed the passions of the monster; he raised her from her kneeling posture, and bade her sit down by him on a sofa; then taking her hand, he said, "Sidney is now more guilty since I find he is your husband." She blushed, and drew from him; the colonel approached her more nearly, and, seizing her arm, exclaimed, "What! shall such beauty be the reward of a rebel?"

"Sidney, a rebel! I will not believe it; but even so, colonel, it is his pardon that I solicit."

"Beautiful stranger! you ask me to act against law, and violate my commission. Your loveliness is an advocate difficult to resist; but what shall be my reward?"

"What can an unfortunate woman, without money, or interest, or rank, give as a recompense to the favoured officer of the king? Were I myself on the throne, I should think that I degraded virtue, in accepting compensation for performing an act of justice."

"No, Susan, no; a moment of weakness cannot sully so pure a heart

as beats within your bosom. The shades of night will veil the secret, and to-morrow you shall be restored to the endearments of your husband."

"Barbarian! now do I comprehend you; my dishonour must purchase the life of Sidney: an act of adultery must precede an act of justice."

"Do you sincerely love your husband?"

"Away, monster, leave me; I may be unfortunate, but I will not be vile! I now can pierce through the serpentine folds of your black heart; the excess of your iniquity is proof of Sidney's innocence. Let him die! Ah, no; I retract the word! Cruel tyrant, behold me at your feet; in the name of all that you hold most dear on earth, restore your victim to my anguish; demand not from a virtuous woman the most dreadful of sacrifices; allow me still to raise my eyes to heaven, with purity of conscience; wring not from me a concession which would corrode my soul with endless remorse."

A tiger would have respected so much virtue; but Kirke became more hot with lust, and more eager for crime. "No," said he in reply to her supplication, "I will not sacrifice my pleasure to frivolous scruples; submit, and your husband lives; refuse, and he dies. I consent, however, to humour the timid delicacy of your character; I invite you not to this house which is open to public scrutiny; at your own lodging I will throw myself at your feet, and conquer your disdain; this very evening I will visit you alone: if your door is open, Sidney lives; if not, you are his murderer."

"Inhuman tyrant! think you that your menace can alarm me? My soul is more elevated than thine, for I have not served an apprenticeship to crime. Save my husband, and inflict his punishment on me; I shall have sufficient fortitude to ascend the scaffold. The wife of Sidney fears nothing but the displeasure of God and the remorse of her conscience."

Kirke now dismissed this unhappy woman, inflexibly resolved to gratify his horrible passion. When Susan arrived at home, she sat down in an agony of mind that almost amounted to madness: how was she to act? she had the power of saving the life of Sidney, but at the cost of her moral death; the alternative was dreadful; but there was short time for decision. Suddenly she sprang from the chair, rushed down stairs, opened the door, returned to her apartment, and swallowed a strong dose of laudanum, which threw her into a complete stupor.

At the dawn of day the lethargic slumber, produced by the soporific, had exhausted its influence. Susan awoke, and seeing Kirke, then knew that she was dishonoured. "Barbarian!" she exclaimed, "I only accuse myself of this infamy; give me back my husband."

"Your husband! he waits for you in the public square: approach to the window, and you will see him." So saying, he raised the blind; and the duped victim beheld the lifeless body of Sidney suspended from the gallows. One frantic scream escaped the miserable Susan, and she fell dead at the feet of her persecutor.

PROOFS AND ILLUSTRATIONS OF THE ATTRIBUTES OF GOD.

By JOHN MAC CULLOCH, M. D., F. R. S., F. L. S., F. G. S., &c.—3 vols., 8vo.

Second Notice.

If we rightly judge the feelings of our readers by our own, a second notice of these admirable volumes will meet with general approbation. For ourselves we can truly declare that we never read a work with more

pleasure and instruction, than these proofs and illustrations of the attributes of God. Sure we are that no man can rise from their perusal without being wiser and better, and more deeply impressed with the power, wisdom and benevolence of the Creator; and though our limits will only allow a few extracts, yet will these serve, to some extent, to convey information, and encourage habits of piety and devotion to the great Author of nature. Our readers, however, must not judge of these volumes solely by the passages that we place before them; the chapters we pass over unnoticed are equally valuable with those from which we cite, and where all is excellent, it is difficult to select. We shall make our first extract from the chapter on the "Organized Structures in Animals and Plants," where Dr. M. explains the formation of a bird from an egg.

"There is a white spot:—we know no more. If the egg be heated for a certain time, a blood vessel appears; then a ring of pearly bones, where the ciliary circle of the eye is to be, and, successively, more vessels, eyes, a heart, limbs, feathers, a living and complete, if not a full grown, animal. It quits the shell, continues to grow, and produces eggs, reproducing more animals of the same kind. This is a machine, and a very complex one; it is machinery rather than architecture; but it is built upon an invisible foundation, through the approximation of atoms. It is as if heat were to be applied to filings of metals, and they were, within twenty-one days, to arrange themselves into a watch, even to the dial-plate and the glass. In reality, the latter machine is not one millioneth part so intricate, though we should omit the qualities of life, sensation, reproduction, and much more. And if I have just said that the wonder of this process is not diminished by the supposition of a pre-existent form, I may illustrate this by the comparison already used. Should a model grow up into a house, through some internal power, we should not consider the miracle less than if a single stone had produced the same result. But what are the Great Artist's tools and materials? A mechanic can imitate an eye as he would a joint; but I need not suggest how he would set about a structure so nice, and consisting of so many parts, so different in quality. The Artist who made it used but one tool, the mouth of a small artery, and one material, blood. By such limited means, was produced a globular and firm case, containing a nervous and painted curtain, on the fore part of which is a circular and convex glazed window. Within, a beautiful transparent lens, the texture of which is incomprehensible, from its intricacy and apparent difficulty, is suspended in its exact place by peculiar membranes, and between two different bodies, one of which is a mere fluid, and the other a gelatinous one entangled in a cellular membrane, so fine and transparent as to be undiscernible; while that peculiar curtain which contains the pupil is a most artificial structure of muscular fibres, painted in a regular manner, and, in different animals, under great variety. This is a remarkable piece of work to be executed by the mouth of an artery; by many such arteries, of course; and yet that renders the result more extraordinary. As far as we can see, or shall ever know, every such arterial mouth should be the same; yet there is one which manufactures nerves, another the tough globe, a third the brown paint, a fourth the cornea, a fifth, a sixth, and more, the membrane, the muscular fibres, and the different ornamental colours of the iris; while others again must produce the ciliary processes, the crystalline fibres for the lens, its enveloping membrane, the cellular membrane of the vitreous humour, the water which fills this, the aqueous humour, and, moreover, in a bird, the bony ring; besides nerves, and even the blood vessels themselves; to take no notice of muscles, eyelids, glands, ducts, and more."

This example must suffice to show the skilful and elaborate method by which Dr. M. explains the organized structure in animals; we shall now add some of his remarks on the same process in plants.

"Commencing from the seed, as I did from the animal egg, I may take that of the oak. Here the germ is distinct; it is a miniature plant, but it assuredly does not contain a pattern of the future tree, and still less of all the trees, in an endless series, which might be produced by separation, even although this were granted, as to the seeds. With regard to the process of growth, we cannot see what we do in the chicken; the opacity of the vegetable structure is an insuperable obstacle.

Here, indeed, we may speak of prolongation, as forming the basis of the enlargement; but this explains nothing, while vessels must also be added exteriorly, assuming them all to be parallel, or the plant could not increase in diameter. How this is done we do not understand; and we as little know how the branches are produced, or how their vessels are related to those of the trunk. The leaf of a plant is a very regular and definite form, and, even exteriorly, often a beautiful piece of mechanism. Interiorly, we know that it is a very artificial and minute structure, and that it is a chemical laboratory, constituted on similar general principles to the arterial laboratories of animals, because it performs the functions of composition and decomposition under the principle of life. But the exact structure has not been assigned. The vessels of leaves, be they what they may, act like the arteries of animals. They convert a small leaf into a large one, preserving the forms and the machinery; depositing, therefore, solid particles in appropriate places, while producing those from water and air. Like the arteries of the lungs, they exhale air and water, and they also inhale both; and whatever the process be, whether it belongs to this species of respiration alone, or there be somewhat more performed, it is through them that the food of the plant is in some manner rendered capable of being converted into the necessary materials of the growth and the secretions, since without them these processes stop. If they have been called the stomachs of a plant, that term is not very appropriate. Lastly, as they are acted upon by light, they must be living and irritable, or muscular, were there not abundant proofs of this in their actions."

We make our next extract from the chapter on "Water," and, though it is short, it contains abundant materials for reflection, and cannot fail to impress the mind with admiration of the power and benevolence of God.

"The cloud, at least, is tangible water; it might have been no difficult problem to float air in air, dissolved water in the atmosphere; we would gladly believe that it was not. But this was not sufficient. The stores of water were to be transported in masses to the places where they were required. He collects it into masses, and He causes these to float in that atmosphere so much lighter than water, that His winds may lead them wheresoever they are wanted. Does any one consider the enormous weights which are supported in this marvellous manner, the seas of water which are thus suspended, and carried along like a feather before the breeze? The torrents which fall from them will tell him what those weights are; it is a whole lake which descends from the heavens in an instant; a lake which, an hour before, was a hundred miles away, lighter than the thistle's down. Thus it had struck an ancient philosopher: 'He bindeth up the waters in his thick clouds, and the cloud is not rent under them.'"

"Nothing in the whole of this great process is explained. The cloud was formed from dissolved water; why does it not dissolve again? or why not always, as it does sometimes? It is the feeblest of substances and structures; yet it is not injured by the most violent winds. The gale which, in an instant, tears the stout canvas, the hurricane which whirls a forest into the air, carry before them the tender cloud, unhurt; and, though they may change the form, they do not destroy what they might have torn in pieces, and dispersed in atoms. It has been commanded them that they abstain, as it was appointed to them to conduct the cloud to its destination, and the storms are obedient to His will. What is this force of adhesion, this power of evading violence, in that which is without strength and without weight? It may be electricity, but it is still the power and the hand of the Creator. It is one of the miracles of nature, and it is but through its frequency and familiarity that it is not truly a miracle. Had it occurred but once, it would have been this; and it does not cease to be a wonderful exertion of power, because it happens daily."

From water, Dr. M. passes to the atmosphere. This gaseous form of matter, though in the highest degree wonderful, is scarcely noticed by mankind on account of its familiarity. We know it to be a chemical compound, under the common name air, chiefly of oxygen and air, a cubic foot weighing more than half an ounce, while its pressure is equal to fifteen pounds on a square inch. The atmosphere is neither felt nor seen, tasted or smelt: yet, deprived of it, we die. If roused into storm, it sweeps away the labours of man. By this dormant spirit are we sur-

rounded, and yet we are carelessly unobservant of its varied phenomena. On this subject Dr. M. makes the following remarks :

"As a chemical substance, it is that perpetual agent without which animals could not exist for an instant ; and, if in a different manner, it is not less essential to the life of plants, from the vegetation of the germ, upwards. It is active, moreover, in that decomposition through which all organized forms are returned to their elements ; as it is thus also a great laboratory, or stock of materials, on which new organizations draw, that the round of life, under temporary and ever renovated existences, may proceed. Being the food of respiration, it is also that of fire, and is thence indispensable to the production of artificial heat and light. Under properties partly chemical and partly mechanical, it is the medium, or, with other powers, the joint cause of evaporation, and thence of all that is consequent on this in the circulation of the waters of the globe. Through powers we cannot yet assign, it is an agent for the production of heat from the sun's rays ; and, from a constitution, similarly unexplained, it effects the most important purposes in diffusing, and thus, as far as vision is concerned, augmenting the light of that body ; while, through its power of refraction, it serves other important purposes as to both light and heat. As a mechanical gas, or aeriform fluid, it is the medium of support for the flying animals, and the resisting fulcrum of their motions ; while, when in motion itself, it becomes a mechanical force for the uses of man. Under actions which have not yet been ascertained, it is the medium of sound, and probably one of its causes ; while, lastly, as a chemical body, it is concerned in actions and combinations so numerous as to pervade the whole range of chemistry."

After stating that the atmosphere is the great engine of combustion, through the agency of oxygen, Dr. M. then considers it as a storehouse of food for vegetables. The following passage on this division of the argument will be read with deep interest :

"The far larger proportion of the solids which fire consumes, become air and water ; while that air, carbonic acid, returns carbon, in the most manageable form, to reproduce, under new lives, the beings from whose destruction it had originated. The forest itself may vanish from our eyes ; its restoration may seem hopeless ; but it still exists, under a fitter form for use, and is again called on to circulate in the same never-ending round. Through this agency of the atmosphere, even the long-reposited remains of a far distant vegetable world are converted into the living plants of our own days. Man desired to extract heat from the buried rocks of coals, and having performed this office they are dissipated to the winds, and lost, apparently for ever. But He who has thus laid them up takes possession again and returns them to the earth, while the invisible air becomes, in His hands, a new creation of plants to clothe the earth with life. In this way, as in many more, ought we to contemplate the great laboratory of the atmosphere, though these vast offices are scarcely conjectured but by chemical science. It is well said that nothing is lost.—The drop of water which is spilt, the fragment of paper which is burnt, the plant that rots on the ground, all that perishes and is forgotten, equally seeks this great element, and all is there preserved, and thence daily returned for use. The circulation of the blood is not more sure ; nor is it more artificial, if the artifice is of a more obvious nature."

On the interesting phenomena of the trade winds, Dr. M. controverts the popular theory, which professes to explain their cause, by the doctrine of temperatures, and the facts he produces, and the inferences he draws, appear to us conclusive against the current opinion. The reasoning which he opposes, insists that the winds are inevitable consequences arising from the very existence of an atmosphere, and the mutations of temperature ; and he thus states his view of the subject :

"The alternating land and sea breezes of the tropical regions are indeed produced through inequalities of temperature, and whether contingent or not, an effect so beneficial must have been intended, if the Deity intends any good to his creation. In ancient language, the colder air of the sea rushes in to fill a vacuum ; in accurate philosophy, the air which is heated by the land ascends, under the lateral pressure of that which is colder, and which thus supplies its place. The same general explanation suffices for numerous other cases of winds, in all climates ; as it also does for local winds occurring on the land, where its different portions, from

unequal elevation or other causes, differ in temperature. How far the same theory explains the trade winds, I shall inquire hereafter; but it does not account for the variable sea winds beyond the tropics, far less for the more difficult cases which occur near land, and even some of those which are found at sea. A hurricane and typhoon remain as inexplicable as the simoom of the desert; no possible theory of temperatures will explain these. In spite of the explanations given, the occurrence and shifting of the monsoons and other periodical winds are so obscure, unless we can be satisfied with vague, general causes; and this even more true of our equinoctial gales; since no one who thinks accurately can believe such effects to arise from slender differences in the position of the earth as to the sun. The equatorial line on a paper globe may have a magical appearance; but there is no magical influence in a space of one or two degrees, here, any more than in any other portion of the intertropical belt. Under a gradual progress, there is no sudden and adequate change of temperature; in philosophy, equinox, or date, is nothing. But if these are simply unexplained cases, what shall be said of those which oppose this theory? By means of the winds, the Creator transfers to us the summer temperature of warmer regions, that He may diminish the rigour of our own winter. Did the hypothesis assign the cause justly, this could not be; we could have but a north wind. Yet it arrives from the south, as it also passes us towards the polar regions, carrying thither, for the same purpose, a tropical temperature. It is a river of warm air, and near the surface of the sea also, traversing thousands of miles to mix itself with a frozen and heavier air, not even ascending, as it ought, to displace a colder air above it. Had the Creator been tied down by the hypothesis, He could not have done this. In the old language, it is the vacuum rushing in to fill the plenum. But this is not all. If no theory has explained the cause of a squall at sea, of squally weather, of the radiating winds which often attend a cloud, of a whirlwind, and much more, there are other and simpler cases which remain equally obscure, and even contradictory to the theory of unequal temperatures. A ship is becalmed for weeks between the tropics: why does not cold air arrive to supply the place of the warmer air, which is ascending? whence are the curvilinear winds, and whence the horizontal, and opposing or diverse winds, which occupy different strata of the atmosphere, and often with very different velocities and at different temperatures? Being in contact, why do they not mix, to equalize each other's heat? My own observations being responsible for what follows, I may also ask what cause can produce a horizontally undulating stream of wind in the midst of an atmosphere at rest, and on what theory can opposing streams flow with great force at the surface of the sea for many hours and in contact; touching, without interfering? It is a minor difficulty to find a strong breeze three or four miles in breadth, and assignable for many miles in length, in the midst of an atmosphere at rest, so that a foot would define the boundary of the calm; it is a much greater one to have seen two such streams crossing each other at right angles, and thus lasting for many hours. Such winds cannot be hastening to fill a "vacuum," or equalize a density; even in the first and simplest case, the surrounding atmosphere would not then remain at rest. And what explanation can be offered of a powerful breeze, occupying many hundred square miles of sea, for a whole day, yet leaving one spot, a few yards in diameter, in a state of absolute calm all that time?"

We have a short chapter on electricity and magnetism, and this brevity is judicious. Both these powers are mysteries to us, of which no satisfactory solution has yet been given. Some philosophers consider electricity as matter, others, as motion. But, as Dr. M. truly observes, we can form no conception of matter under such a modification, and if it be referred to motion, then we require to be told what is the substance moved, and what the nature of the impelling force. The motion of nothing is a non-entity; and moving power is spirit, not matter. This is a proper place to remark that all writers reason simply from matter and mind, and they are right, in as much as those two modes of existence comprise the sum of human ideas; but then they should consider that there may be in creation some other mode of existence, quite distinct from either of these, and perhaps opposed to both. As a safeguard against scepticism, we think this conjecture ought to be encouraged, as it would check the bold and rash conclusions of many, who flounder in impiety, because from matter and

mind alone they cannot explain the physical and moral government of the great Ruler of the universe. On electricity Dr. Mac Culloch makes the following eloquent remarks :

"Nearly all that we do truly see of it, are results or effects in which we discover no purpose, magnificent and terrific as they are, and indicating, as they do, an uncontrollable power, limited by neither space nor time ; acting without warning, arising nowhere, reaching everywhere ; contemptuous alike of vacancy and solidity, the power which flies through solid bodies, as light does through empty space, unchecked, unretarded ; attaining him who vainly strives to shelter himself under that which is his protection from light and heat, and from the mechanical powers ; the emblem of the all-seeing eye, whose penetration nothing can oppose ; of the all-reaching power, which man cannot evade, though he could command the mountains to cover him."

Magnetism is still less understood than electricity. In early ages, it was considered a mysterious living spirit inhabiting inanimate matter. Much more profound is that mystery to us who know the property of the magnetic needle, directed, without apparent touch or contact, by some invisible power to the pole. Philosophy, in its pride, has conjectured a cause but has not proved it ; we are told that it consists in streams of magnetism for ever flowing round the globe ; but, as our author asks, "What are the streams of that which is not matter ? or what is motion, which is the motion of nothing ?"

There is only one conclusion ; God, the first cause, moves the needle, —that God whose existence some madmen have doubted, aye, even have profanely and presumptuously denied.

The following passages we extract from the chapter on Heat :

"There are three conditions of bodies, the solid, the fluid, and the gaseous ; and it is concluded that all substances are capable of the whole, though it has not been proved of all. If a solid body becomes fluid by continued additions of heat, some portion of that remains unaccounted for, or disappears ; it becomes insensible, dormant, or latent ; and the same happens when a fluid becomes gaseous. Reversely, when a gas becomes a fluid, or such fluid a solid, heat is perceived or produced ; that which was dormant becomes sensible. The general conclusion is, that the second and third conditions are dependent on two different proportions of heat, combined, in some manner, with the original solid. The practical result, which is the one that concerns my purpose, is, that the two changes downwards to the solid are sources of sensible heat, as the reverse ones produce a sensible cold. This is the simplest view, making the combination with heat the cause of the changes upwards. No power, but that which produced light, could have enabled this invisible existence to traverse the universe, with, perhaps, the velocity of light, and could have empowered it, still further, to find its way through solids impermeable to this rapid agent. Is it not a more wonderful and mysterious agent than even light itself ? Like electricity, it sleeps and is forgotten ; its activity is quenched in an instant ; it appears to be nowhere, annihilated ; yet it is still everywhere, and ever ready to revive in fresh power ; renewing its activity in an instant, at the command of Him who ordained it, and appointed the rules of its obedience. To our experience, it is the opponent of attraction, though science may not explain the nature and the causes of these actions ; of that equally mysterious power through which it is that there are solids, fluids, gases ; that the solid is not a fluid, and the fluid not a gas, that the gas does not diffuse itself to be lost in space. In each case the mystery is equal—the power incomprehensible."

The chapter "On the Light of the Marine Animals" is one of the most curious and entertaining in the whole work, and as Dr. M. is the first philosopher who has given a regular description of this phenomenon, it possesses the additional charm of originality. The subject has been merely glanced at by preceding writers, who have ascribed it in vague terms to electricity, to friction, to the absorption of light by sea-water, and to the presence of a visionary luminous oil ; and Boyle, so celebrated for his researches, unmeaningly says that it is a "cosmical law of the uni-

verse." Dr. M., however, proves that this light is produced by the volition of fishes out of their own bodies :

"Light diminishes rapidly in passing through water, as it does in glass and other transparent bodies. At a certain depth, the sun itself would be invisible, as if a plate of iron had been interposed. Experiments have been made to ascertain what thickness of water excludes all light; but, as yet, without success. Bouguer's trials had fixed this point at 723 feet, but his process was radically erroneous. Nevertheless, the diminution of intensity takes place in so rapidly increasing a ratio, that we can have no doubt respecting the absolute darkness of the depths of the sea; while, if we double his estimate, we may be not far wrong. But while these estimates refer to the full light of the sun, and as the light of a cloudy day, of twilight, and of night, are successively far inferior, there must be many and long periods in which darkness reigns at very small depths, since the quantity transmitted is proportioned to the intensity. It is also familiar, that many fishes reside in the deeper parts of the sea, as is true of the ling among others; and on the bottom, as occurs in the flat fishes; while, moreover, many are nocturnal, sleeping in the day, like the beasts of prey, and seeking their food in the night. On the land, absolute darkness is a very rare occurrence, while the nocturnal animals have a peculiar provision for discovering their prey, in a large pupil and highly sensible nerve. But under the entire want of light that must often exist in the sea, no such power could be a compensation, while, in minor cases, the great velocity of these tribes, and the frequent consequent distances between the pursuer and the pursued, must also be an obstacle to distinct vision. Under any view, it must have been impossible to prey at night; since our own least visible light must be pure darkness even at the surface."

Here, then, we are introduced into a world of darkness, peopled by myriads of animals, who have eyes; but these organs of vision would clearly be useless, unless some provision had been made for the diffusion of light, and what that provision is, Dr. M. thus explains :

"The animal itself was to be seen amid utter darkness; and it is rendered luminous, or becomes itself a source of light. Nor, whatever other analogous cases may exist in the several phosphorescent substances, where we can see neither connexion nor object, can we doubt the design and the purpose here, when we find the provision universal and the purpose necessary, and when we also can conjecture of no other mode in which it could have been attained. The great pursuit of all animals is food, and the food has here been rendered luminous, that it might be discovered. But for this provision, the deep residing fishes could not have found the means of existing at the bottom of the sea, and the night-preying ones would have been for ever helpless; while my own investigations have shown that there are predatory kinds immoveably fixed to the bottom, at depths of 6,000 feet, where darkness is eternal."

When one fish pursues another, it is not the definite form of a fish that is pursued, but a brilliant object; and every one knows that the mackerel may be caught by a piece of silver, or a bright feather, used as a bait. The ancient inhabitants of the Mediterranean always used nocturnal lights in fishing, as a decoy, and most savage nations adopt the same practice.

"The light in the larger fishes seems to exist over the entire surface, as it is evidently the temporary produce of an act of volition; though it is not easy to judge correctly of the facts, as it is possible that the light around them may, partly, at least, be produced by the disturbance of minute animals in contact with them. This, however, will not, of itself, explain the appearances; since, in that case, it should attend every movement, whereas it is but occasional, and is excited among other things, by a noise or an alarm. And if I already said that the luminous property does not belong to the water itself, we are assured of this, by finding that it never exists unless animals are present; while if the crowds of the nearly microscopic ones are the cause of that general light which seems to have given rise to this error, so does it require an equally minute investigation to detect those hitherto almost unsuspected myriads. Seamen, knowing the difference between blue and green water, know also that the former very rarely contains such animals and is as rarely luminous. With some noted exceptions in the ocean, it is on the shores chiefly that we find highly luminous water prevailing."

We must make one more brief extract from this chapter, as it forcibly illustrates the divine benevolence :

"Inasmuch as the lights are an enticement to the pursuer, the whole effect to the pursued would be evil, were it not for that compensation which never seems wanting. The light is under the command of the animal ; and the defence is to obscure it. This is easily ascertained in those which we can separate and detain. If much irritated, or alarmed by the disturbances of the water, they extinguish the light, though it had long been shining steadily ; while, when again producing it, a far slighter alarm suffices to obscure it, as if they were on the watch ; as, after a repetition of these, it is permanently extinguished."

The chapter on "Light" is profound, searching, and argumentative, but it does not afford facility of extract. We shall, however, endeavour to explain some of the leading features of this stupendous miracle ; for miracle it is, though familiar. Some have supposed light to be a species of matter, yet it cannot be weighed, it cannot be touched, nor be arrested or accumulated. Its movement is most rapid, though no projectile force can be discovered : no one can say how it comes, or to what spot it retires ; and these are alone sufficient reasons to doubt its being material. It has every quality of spirit, except thought. Others maintain that light is produced by motion in an hypothetical ether, and they affirm that motion to be undulatory : but this explanation is one of mere conjecture ; and, as Dr. M. observes, "if light be motion, in what manner can the union of an atom of oxygen with one of hydrogen, or with three, or with twenty, were the fact so, excite a sphere of undulations throughout all space ?" Of the nature of light, then, we must remain ignorant ; we know some of its properties, some of its effects, some of the laws by which it is governed ; but of its essence we know nothing. And here again we may remark what has been already hinted at, that we err grossly in supposing that every thing must necessarily be matter or mind : so far as our faculties go, we are right to make that fundamental distinction ; but it by no means follows that some other quality does not exist, because we cannot understand its nature. Thus, for instance, light is neither matter nor mind, yet is it something, of which we are assured by our senses, and of which no man has ever doubted.

Here our limits compel us to stop, but we must find room next month to continue a subject so entertaining and instructive.

SCHILLER'S WILLIAM TELL.

(Continued from page 248, vol. iii.)

SCENE IV.

Walter Fürst and Arnold of Melchthal enter at the same time from different sides.

MELCHTHAL.

Ha, Master Fürst !

W. FÜRST.

If they surprise us here—

Stay where you are. On all sides spies surround us.

MELCHTHAL.

Bring you no news from Unterwalden for me,
No tidings from my sire ? I can no longer
Endure to lie here idly like a prisoner.
What criminal act have I committed then
That like a murderer I should lie concealed ?—
With my good staff I broke the ruffian's finger
Who at the balliff's bidding would have driven,
From my own plough, my team, my goodly oxen.

W. FURST.

You are too rash. The beadle was the bailiff's
By your superior sent. You had incurred
A penalty, to which, however great,
Your duty was in silence to submit.

MELCHTHAL.

Was I to bear his rude insulting speech :
" If," said the shameless churl, " the peasant wished
" To eat bread, let him drag the plough himself ! "
It cut me to the heart, when from the plough
The fellow took the comely animals ;
With hollow voice they roared, as if they felt
The act's unseemliness, and butted with their horns ;
By my just rage o'erpowered, and of myself
Not master, I then struck the messenger.

W. FURST.

Scarcely can we subdue our own heart's anger,
How then shall rash and headlong youth curb theirs !

MELCHTHAL.

My father's all I grieve for—He so much
Requires support now, and his son is far.
The bailiff is his foe, because for right
And freedom he hath ever staunchly fought.
I therefore fear they'll treat the old man harshly,
And no one's there from insult to protect him.
—Become of me what may, I must begone.

W. FURST.

Wait yet awhile, and arm yourself with patience
Till tidings from the forest hath arrived.
—I hear a knock—go—Perhaps, a messenger
Sent by the Governor—Get in—You're not safe
In Uri from the Landenberger's arm,
These tyrants readily assist each other.

MELCHTHAL.

In that they teach us what we ought to do.

W. FURST.

I'll call you back when all is safe—Retire !

(Melchthal enters a side chamber.)

The hapless creature ! but I dare not own
My dark forebodings to him—Who knocks there ?
Whene'er my door moves, I expect some ill.
In every nook lurk treason and suspicion ;
Into our dwellings' inmost privacies
The messengers of power intrude ; we soon
Shall need both bars and locks to guard our portals.

(Opening the door, he starts back on seeing Werner Stauffacher enter.)

What do I see ? you Master Werner ! Truly
No better guest hath ever crossed this threshold.
Be welcome from my heart beneath my roof !
What brings you hither ? What seek you in Uri ?

STAUFFACHER. *(offering him his hand.)*

The good old times and good old Switzerland.

W. FURST.

Those you bring with you—I'm so happy now,
My warm heart opens at the sight of you.
—Be seated Master Werner—How left you
Dame Gertrude, your engaging hostess,
Sage Iberg's fair and highly-gifted daughter ;
Of all the wanderers from the German land
That pass by Meinrad's cell to Italy,

Each laud's your hospitable home. But say.
Have you but just arrived straight from Fluelien,
And looked around you in no other place
Before you set your foot upon this threshold?

STAUFFACHER.

I have indeed observed them here erecting
A new and singular pile which doth not please me.

W. FURST.

There, friend, you have it at a single glance!

STAUFFACHER.

The like has ne'er been seen in Uri yet—
There's been no prison here within man's memory,
No place a fastness save the grave.

W. FURST.

'Tis Freedom's grave indeed! you name it rightly!

STAUFFACHER.

From you, friend Walter, I will not conceal it:
No idle curiosity has led me hither,
Deep heavy cares o'erburden me—I've left
Distress at home, and here I find distress.
What we endure can not be longer borne;
There seems to be no end to this oppression.
The Swiss from immemorial time has aye
Been free; we're wont to meet with kindness,
Such things have ne'er been witnessed in the land.

W. FURST.

Their tyranny's indeed without example;
Our noble lord of Attinghausen too,
Who recollects the olden times full well,
Himself declares we cannot bear it longer.

STAUFFACHER.

Below the forest too sad deeds are doing,
Which meet with bloody vengeance—Wolfenschiessen,
The emperor's bailiff, he that dwells at Rossberg,
Basely desirous of forbidden fruit,
Attempted to insult Baumgarten's wife,
For which the husband slew him with his axe.

W. FURST.

The judgments of Almighty God are just:
What Baumgarten? that harmless creature!
He's safe, I trust, and in secure concealment?

STAUFFACHER.

Your son-in-law hath sped him o'er the lake,
And in my house at Steinen he's concealed—
But the same man informs me, that at Sarnen,
Deeds far more horrible have been committed.
'Twould make all honest bosoms bleed to hear him.

W. FURST. (*more attentive.*)

What is it, say?

STAUFFACHER.

In Melchthal, where you enter
The village Kerns, there dwells an honest man,
They call him Henry of the Halden there,
His voice is of great weight throughout the parish.

W. FURST.

Who knows him not! But what of him? Proceed!

STAUFFACHER.

The Landenberger having fined his son
For some slight fault, and caused his choicest yoke
Of oxen to be taken from his plough,
The stripling struck the messenger and fled.

W. FURST. (*with intense anxiety.*)

But then the father—How is it with him ?

STAUFFACHER.

Into the bailiff's presence he was cited,
And ordered forthwith to produce his son,
And when the old man swore, as was the truth,
He had no tidings of the fugitive,
The bailiff called the officials of the torture.—

W. FURST. (*starting up and endeavouring to draw him to the opposite side of the stage.*)

No more, I pray you !

STAUFFACHER. (*heightening his voice.*)

"If the son hath fled,
I've thee at least,"—cried he, and bade them throw
Him down and thrust the pointed steel into his eyes.

W. FURST.

Merciful Heaven !

MELCHTHAL. (*rushing out of the side chamber.*)

Into his eyes, say you ?

STAUFFACHER. (*astounded, to W. Furst.*)

Who is this youth ?

MELCHTHAL. (*seizing Stauffacher with convulsive vehemence.*)

Into his eyes, was it ?

W. FURST.

Alas, the piteous creature !

STAUFFACHER.

Who is this ?

(*on receiving a sign from Furst.*)

It is the son—just God !

MELCHTHAL.

And I must be

So far from him !—Into both his eyes ?

W. FURST.

Command your grief, and bear it like a man !

MELCHTHAL.

And all for my fault, all for my misdoing !
—He's blind then ! Really blind, entirely sightless ?

STAUFFACHER.

I've said. The source of vision is exhausted ;
He'll never see the sun's bright light again.

W. FURST.

O spare his anguish !

MELCHTHAL.

Never, never more !

(*He holds his hands before his eyes and remains silent for some moments, then, turning from one to the other, he says, with a gentle voice choked by tears,*)

O what a noble gift of Heaven art thou,
Light of the eye ! On light, on glorious light
All beings live, and every happy creature !—
The plant itself turns joyous to the sun.
And he, though feeling all, must sit in night,
In endless darkness—him the meads' warm green,
The flowers' enamel never more shall cheer ;
He can no longer see th'empurpled glaciers.
To die is nought—but *living* and not *seeing*,
That's a misfortune—Why cast ye on me
Such looks of pity ? I have two sound eyes,

And cannot give my blind old father one,
Not one faint ray of that vast sea of light,
Which, splendid, dazzling, into mine eye throngs.

STAUFFACHER.

Alas! I must increase your touching grief
Instead of healing it—He needs still more!
The governor hath bereft him of his all
And left him nothing but his staff, to wander
Naked and blind with it from door to door.

MELCHTHAL.

Nought but his staff to the old eyeless man!
Robbed him of all, and of the sun's light too,
The poorest creature's common property—
Let none now speak of tarrying, of concealing!
Why what a cowardly miscreant am I
To dare think of my own security
And not of thine!—In such a ruffian hand
To leave in pledge thy venerable head!
Faint-hearted prudence, get thee gone!—I'll think
Of nothing save of retribution dire.
I will away—no mortal shall detain me—
I'll from the governor claim my father's eye
And single him out from amongst the crowd
Of his retainers—For my life I care not
If in his life-blood I can only cool
My burning harrowing anguish. (*on the point of rushing forth.*)

W. FÜRST.

Stay, rash youth!
What can you do 'gainst him? He sits at Sarnen
In his high lordly castle, and derides
Your powerless rage, secure in his strong fortress.

MELCHTHAL.

And if he dwelt upon the icy palace
Of the vast Schreckhorn, or higher still, where the Jungfrau
Hath from eternity sat veiled, I'd make
Myself a path to him; with twenty youths
Who think like me, I'd tear his fortress down,
And if not one of you will follow me,
If, fearful of your huts and flocks, ye all
Cringe humbly to the tyrant's iron yoke—
I'll call the shepherds of our mountains round me,
There under the free canopy of Heaven,
Where yet the mind is fresh, the heart still sound,
I'll tell this horrible, this monstrous deed.

STAUFFACHER. (*to W. Fürst.*)

'Tis now come to its highest pitch—Shall we
Wait for extremities.

MELCHTHAL.

Why what extremes
Are to be feared yet, when the very eye-ball
Is safe no longer in its cavity?
—Are we defenceless, then? Why did we learn
To stretch the cross-bow and to wield the weight
Of the huge battle axe?—All creatures have
In the wild agony of desperation
Some weapon of defence by nature given:
The stag, exhausted, turns him round, and aims
His dreaded antler's at the panting hounds,
Down the abyss the chamois drags the huntsman—
The plough-ox even, the docile toil companion
Of man—though patiently the powerful strength
Of his huge neck is bent beneath the yoke—
Starts up indignant, whets his mighty horn,
And tosses up his foe towards the clouds.

W. FURST.

If the three cantons thought as we three do,
We might perhaps effect what we desire.

STAUFFACHER.

When Uri calls and Unterwalden aids,
Then will the Swiss respect the ancient Union.

MELCHTHAL.

My list of friends is great in Unterwalden,
And each will gladly venture life and blood,
If in the other he can find a stay
And shield—O pious fathers of this land,
I stand here but a simple youth between
Two long-experienced men—my voice must be
Modestly silent in the general commune.
Yet do not scorn my council and my words,
Because I'm young and have but brief experience;
No wanton youthful blood, the painful force
Of deep ineffable distress impels me,
Such as would draw compassion from the rock.
Yourselves are fathers, heads each of a house,
And fain would have a virtuous son that would
Revere the sacred locks that grace your head,
And fondly guard the apple of your eye.
O let not our distress be strange to you
Because yourselves as yet have suffered nothing
In body or estate, because your eyes
Still move so sound and clear within their sockets.
O'er you too hangs the sword of tyranny,
You both have turned the land away from Austria;
My father's was no other crime than this;
Your guilt and condemnation are the same.

STAUFFACHER. (to W. Furst.)

Do *you* decide! I am prepared to follow.

W. FURST.

First let us hear what the two noble lords
Of Sillingen and Attinghausen may advise—
Their names methinks would tend to gain us friends.

MELCHTHAL.

What names are there amongst the forest mountains
Respected more than yours are and your kindred's?
The people all will trust the sterling value
Of names like yours, they sound well in the land.
You both possess a rich inheritance,
The virtues of your upright ancestors,
And you yourselves have added richly to them—
What need of nobles? Let us act alone!
O were we but alone now in the land,
Methinks we would contrive to guard ourselves.

STAUFFACHER.

The nobles are not circumstanced as we!
The stream that rages fiercely in the valleys
Hath hitherto not reached the eminences—
The nobles will not fail to lend their aid
When they once see the land arrayed in arms.

W. FURST.

Were there an umpire named between ourselves
And Austria, law and justice might decide;
But our oppressor is our Emperor
And highest judge—therefore, *God must aid us*
By our own arm—sound ye and prove the men
Of Schwytz, I'll list me friends in Uri.
But whom then shall we send to Underwalden?

MELCHTHAL.

Send me—for it concerns none more than me—

W. FURST.

I'll not permit it, you're my guest, I must
Be surety for your safety.

MELCHTHAL.

Let me hence !

I know the secret passes and the by-paths ;
And shall find friends enough that readily
Will screen me from the foe and grant me shelter.

STAUFFACHER.

Let him depart with God. There dwells no traitor
On yon side of the lake—So detested there
Is tyranny, that it can find no instrument.
Baumgarten too shall journey to the forest
To gain associates and stir up the land.

MELCHTHAL.

How shall we interchange safe information,
And lull the quick suspicion of the tyrants ?

STAUFFACHER.

We might assemble all our friends at Trieb
Or Brunnen, where the merchant vessels land.

W. FURST.

So openly we must not yet proceed.
—Hear my advice. Left of the lake, towards Brunnen,
Right opposite the Mytenstein, a meadow
Lies deep in the recesses of the forest,
'Tis called the Rutli 'mongst the shepherd tribe,
Because the forest there has been destroyed.
'Tis there too where our boundary and yours

(to Melchthal)

Together meet, and in a speedy passage

(to Stauffacher)

The skiff from Schwytz will lightly bear you over.
Thither on desert paths we could at night
Repair and privily consult together.
Let every one bring ten men thither with him,
Who are united heart and hand with us ;
There we'll in common on the common cause
Deliberate, and, with God, decide upon it.

STAUFFACHER.

So be it. Now give me your honest right hand,—
Let me have yours too, and as we three men
This day between ourselves together twine
Our right hands, honestly, without deceit,
So we three Cantons too resolve, henceforward,
United for the offensive or defensive,
To stand together linked for life or death !

W. FURST and MELCHTHAL.

For life or death !

(holding their hands for some time joined together in silence.)

MELCHTHAL.

My blind old father,
Thou canst no longer see the day of freedom,
But thou shalt hear it—When from Alp to Alp
Aloft the fiery signals, flaming, rise,
The strong-holds fall and ends their tyrants' sway,
The Switzer to thy cot shall wend his way,
Bear the glad tidings to thy raptured ear,
And 'midst thy night the day shall bright appear !

Exeunt.

J. D. PIERCEY.

THE ROMAN DE ROU.—No 10.

(Continued from page 389, vol. iii.)

On the death of Robert, his son William, known in history as the Conqueror, ascended the ducal throne, being then eight years of age. His youth offered no curb to the lawless and predatory barons of the age, and though the mass of the people and the majority of the nobles recognized his title, yet the illegitimacy of his birth afforded a pretext for several of the crown vassals to break out in open insurrection, though rather with a view to gratify their private hatreds, than to shake the authority of William. Thus, Vauquelin de Ferrières and Hugh de Montfort devastated each other's property, till both were slain; but the two sons of Vauquelin, William and Henry, distinguished themselves at the battle of Hastings, and were liberally recompensed by the Conqueror. Of the dreadful anarchy which prevailed at this epoch throughout Normandy, ample details may be found in the seventh book of William of Jumieges, and in the speech which Ordericus Vitalis puts into the mouth of the Conqueror, when on his death-bed.

Henry, king of France, desiring to profit by these distractions, insisted on the demolition of the frontier castle of Tillieres. The Normans were disposed to consent to this dictation, but Gilbert Crespin, Count of Brionne, guardian of the young Duke, determined to defend this important fortress, a devotion which the Conqueror gratefully acknowledged in his dying moments. He was attacked by a powerful army of French, and revolted Normans, and was compelled to surrender, when the castle was burned and razed to the ground.

After a short interval, the king of France again invaded Normandy, and rebuilt the castle of Tillieres. Toustain, Viscount of Exmes, joined the invaders, and delivered up to them the town of Falaise. He was there besieged by the young duke, and forced to capitulate. William of Argues, uncle of William, also rebelled, and formed an alliance with the king of France. The castle of Argues was invested and blockaded, and Henry, in the attempt to throw in provisions, was repulsed by the besiegers. William was then at Valogne, but as soon as he received intelligence of these hostilities, he rapidly marched to Argues, when his uncle capitulated, and retired into France. These transactions rest on the authority of William of Jumieges, and Wace, but they are not mentioned, either by William of Poitiers, or Ordericus Vitalis. As to the revolt of William of Argues, it did not take place till several years after the battle of Val des Dunes, which immediately preceded the expedition which terminated in the battle of Mortemer; so that it belongs to the year 1053.

When William was about twenty years of age, Néel, Viscount of Cotentin, and Renouf, Viscount of Bessin, revolted, and determined to dispossess him of his dukedom. They plotted to seize him at Valogne, but he was apprized of his danger by a court fool, and fled hastily and alone, reaching Rye, situate three leagues north-east of Bayeux. The road on which he passed is called to this day "La voye Le Duc;" he was there recognized by one Hubert and his three sons, who escorted him to Falaise, and through their dexterity he escaped the snares laid for his destruction.

The subjects of William were thrown into great uneasiness at his sudden departure, and many concluded that he had been betrayed and murdered. The rebels seized on the ducal domains. William besought

the assistance of Henry king of France, and that monarch united his forces with those of William between Argences and Mezidon. The insurgent barons concentrated their troops at the Val des Dunes, where they were attacked at two different points. Raoul Jesson now abandoned the rebels and joined the ducal standard. The French auxiliaries were opposed to the Cotentinois, and the king of France, in the shock of the charge, was thrown from his horse, but after a desperate slaughter he was rescued, and again took a prominent part in the battle. The young duke, who commanded the Normans opposed to Renouf, Viscount of Bessin, performed prodigies of valour, and his disobedient subject sought refuge in flight. Néel, however, bravely resisted the onslaught of the French, but the rout soon became general, when the runaways were massacred without quarter. Guy of Burgundy retreated to his castle of Brionne, where he was besieged by William, and soon compelled to surrender. Grimoult Duplessis was taken prisoner and died in confinement. The Norman barons then tendered their submission and renewed their allegiance. Grimoult was buried with fetters on his legs, and his estates divided between the Cathedral of Bayeux and those barons who had fought with William at the battle of Val des Dunes.

But though internal peace was thus restored, Normandy was soon subjected to foreign aggression. Geoffrey Martel, Earl of Anjou, seized on Alençon and Domfront. William marched to the latter place, and, having built three forts, blockaded the garrison; he then led his army to Alençon, which he besieged. He set fire to the fortifications, made himself master of the bridge, and cut off the hands and feet of thirty-two prisoners, as a punishment for the insults levelled against himself and his mother. The garrison, alarmed at his skill and his vengeance, surrendered. William then returned to Domfront, which he closely pressed, when the Earl of Anjou advanced to the relief of the besieged.

William dispatched three of his chief barons to Geoffrey, offering to fight him in single combat, or to select a few knights on each side, or to decide the quarrel by a general engagement of both armies. Geoffrey accepted the last offer, and fixed the following day for the battle, but, after a few idle demonstrations, he retreated, and Domfront fell into the hands of William, who immediately constructed a fortification at Ambrières.

Having thus subdued his domestic and foreign enemies, William returned to Normandy and married Matilda of Flanders, daughter of Baldwin, count of that district, a union which had been prohibited by an ecclesiastical council held at Rheims in 1049. Having no dispensation from the pope, they were excommunicated by Mauger, Archbishop of Rouen. They succeeded, however, in averting the indignation of the church by several pious foundations at Cherbourg, Rouen, Bayeux, and Caen. But Mauger was inexorable. To punish his refractory temper, William deposed him in 1055, and banished him, as Wace says, to one of the islands of the Cotentin. Guernsey, however, was the place of his refuge, as our correspondent, the Hermit, has shown in his biographical sketch of this archbishop, published in a former number of this Magazine.

Wace also tells us that he had communication with an evil spirit, in whose company he visited the neighbouring island, as well as the main land of Normandy; but, on a journey to Cherbourg, he was drowned, and buried in that town.

Wace next alludes to the death of Canute, king of England, but the date, by him assigned, is incorrect, Canute having died on the 12th November, 1035, or about four months and a half after Robert, father of the Conqueror. He was succeeded by his son Harold, but his title was disputed by Edward and Alfred, two illegitimate sons of Canute. They made an unsuccessful descent on England. Alfred was cajoled and betrayed by Earl Godwin, by whom he was delivered up to king Harold, when his eyes were torn out, and he was afterwards put to death. His companions were massacred. Harold soon died and was succeeded by his brother Hardicanute, who only reigned two years, expiring on the 10th of July, 1042, when the crown passed to Edward, known in history as Edward the Confessor. He married the daughter of Godwin, and became singularly attached to the Normans and Duke William.

The old hatred which had been nourished between the French and the Normans ever since Rollo had severed Neustria from the crown of France, now broke out with redoubled fury.

Two armies were equipped, one of which penetrated into Normandy on the side of Beauvoisin, and the other, under the immediate orders of the king, invaded the duchy on the side of Mantes. William made active preparations to defend his territory, and came up with the hostile forces concentrated at Mortemer. He there surprised them, set fire to the houses, and put them completely to the rout. He then spread terror into the camp of the king of France, who offered terms of peace, which the duke accepted.

The next event alluded to by Wace, is the seige of Ambrieres by Geoffrey Martel, who harboured the most implacable hatred against William.

The besieged, however, defended themselves with resolution and courage till they were relieved by the duke in person, at whose approach Geoffrey retired, when William subdued and punished the Manceaux who had joined in this attack, and constructed a fortress at Mans to keep the inhabitants in subordination.

Another enemy soon started up, in the person of Geoffrey of Mayenne, who disputed the duke's pretensions to that territory, but William attacked and defeated him, and razed the town to the ground, nor did he allow of its being rebuilt for many years afterwards.

This continued warfare, though carried on with comparatively a small number of troops, had weakened the military resources of Normandy, and the king of France, still rancorous and thirsting for revenge, summoned his barons to aid him in a fresh invasion of the ducal dominions. He directed his army to Exmes and Bayeux, while William took up a defensive position at Falaise, whence he could observe the motions of the enemy. The French passed the Dive, a small river which flows near to Bayeux, emptying itself into the sea at Bernières, crossing it at Varaville. The duke was advised of this intended movement, and watching his opportunity, he fell upon the rear-guard separated by the river from those in advance, and threw it into complete disorder. To increase the peril of the fugitives, the bridge broke down, and all who remained were killed or taken prisoners. The king of France was frantic with rage and despair at this discomfiture, and soon afterwards died, most probably from grief and vexation. His decease took place on the 4th of August, 1060, which furnishes an approximative date for the battle of Varaville, which most of the moderns have fixed in that year, but neither William of Jumieges, nor William of Poitiers, nor Wace, have stated either the month or the day.

Our author now eulogizes the estimable qualities and the excellent administration of William, and, like a good priest, lauds his piety to the skies. He speaks delightedly of the foundation of the Abbey of St. Stephen at Caen for monks, endowed by the duke, and that of the Holy Trinity established in the same city by his Duchess Matilda, and devoted to a community of nuns. William then proclaimed what ancient chroniclers call the "peace or truce of God," in the solemn presence of his bishops and abbots, his barons and knights. By this it was commanded that all personal quarrels, of whatsoever nature, should be suspended from the sun-set of Wednesday to the sun-rise of the ensuing Monday. This ceremony is even yet remembered traditionally in the Beasson, for when persons are quarrelling, he who wishes to quiet the dispute says: "*La paix de Dieu, Babet et le pot plein.*" Wace, however, is wrong in stating that this "peace of God" was of Norman origin, as he does, in alluding to the erection of the church of St. Paix, in 1061. It had existed at least twenty years anterior to this period in different parts of the continent, and the French historians assert, that the Normans had for a long time resisted its adoption with singular obstinacy. Those who are curious on this ancient ceremony may consult *Les Monumens du Calvados*, p. 42, plate xx, par Jolimont.

In 1051, William passed over to England to visit Edward the Confessor, by whom he was graciously received, and the king of England delivered into his hands a nephew and a son of the famous Earl Godwin, to be retained as hostages in Normandy, for the good conduct of the earl. Almost all historians, ancient and modern, have been silent on this journey, but we incline to think that it had a great influence on future events, and that, on this occasion, William was first solemnly promised the succession to the English throne, either directly by Edward the reigning monarch, or by the Norman courtiers, who enjoyed the unreserved confidence of Edward.

The duke remained but a short time in England, and very soon after his departure, Earl Godwin died, being choked, as Wace says, when dining with the king. The *Chronique de Normandie* thus relates this adventure: "Godwin asked his son Harold to fill him a cup of wine, which he did, but in the act of presenting it to his father, one foot slipped, and had he not recovered himself on the other foot, he would have fallen. Godwin, laughing, said to his son, one brother helps the other. King Edward observed: If my brother were alive, he would serve me as well. Godwin, excited at this allusion, violently exclaimed: May this morsel that I hold in my hand choke me, if I ever did the least injury to your brother, or yourself.—So be it, replied Edward.—Godwin then swallowed the morsel, which stuck in his throat, and killed him, and thus was the truth made known."

Our author then touches on the personal character of Edward, whom he highly praises for his integrity, his mildness, and his love of justice. His piety prompted him to make a vow that he would undertake a pilgrimage to Rome, but his subjects opposed its execution. The pope, receiving intelligence of their reluctance to part with their sovereign, sent him a dispensation from his vow, on condition that he restored the abbey dedicated to St. Peter. This was Westminster, called by Wace *Zonée*, which he derives from *Zon*, a thorn, and *Ee*, an island. But the original name of Westminster was *Thorney*; yet, in an old English Chronicle we find a passage that corroborates the derivation of Wace.

Circa hæc tempora quidam civis Londoniensis . . . construxit ecclesiam in honore sancti Petri apostoli, in occidentali parte ejusdem urbis, in loco qui Thorvic tunc dicebatur, et sonat quasi Spinarum insula, nunc autem dicitur Westmosterium.

Wace then proceeds to sketch the character of Harold, who he describes as powerful and popular in England. On the death of his father Godwin, he determines to visit Normandy, and reclaim his relatives who were then detained as hostages, which we have already mentioned. Edward vainly advises him not to go in person, but Harold is determined. Wace also says, that he had seen it written in a book that Edward had ordered this prince to undertake the voyage to guarantee to William his succession to the English throne. This, indeed, is the grand bone of contention between the English and Norman Chroniclers. However, Harold sets sail from Bosham, then a frequented port, near to Chichester, in Sussex, and is cast away on the coast of Ponthieu. He was discovered by a peasant, and, on his report, was seized by Guy, Earl of Ponthieu, whom we have formerly seen a prisoner after the battle of Mortemer, but, having suffered two year's captivity at Bayeux, he was released, and became the faithful vassal and friend of William. He incarcerated Harold in the fortress of Beaurain sur la Canche, in the modern arrondissement of Hesdin, but when William was advised of his detention, he commanded Guy to liberate his prisoner, which order he at once obeyed ; and indeed William of Poitiers says that Guy escorted Harold in person to the castle of Eu, where he was received by the Duke of Normandy. *Ipsæ adducens apud Aucense castrum sibi presentavit.*

According to the statement of Wace, Willam here pledges his daughter, Adèle, in marriage to Harold, though Ordericus Vitalis says it was another daughter, named Agatha, who conceived so violent a passion for the English prince, that she died of grief, after his death, when on her road to marry one of the petty kings of Spain. However, Harold here promised to assist William in obtaining possession of the throne of England, after the death of Edward, and the duke artfully made him swear on holy relics concealed from his view. Wace does not say positively where this scene took place ; his expression is, "A Baieues ço solent dire," it is generally said at Bayeux ; Ordericus Vitalis fixes it at Rouen ; but William of Poitiers, who had the best opportunity of knowing the locality, mentions the castle of Bonneville-sur-Touques, and says that it occurred before the expedition into Brittany, which was a single campaign, and not a repeated series of attacks, as Wace inaccurately reports.

Harold now returns to England, and our author here describes the dying moments of Edward, from whom an assent was reluctantly extorted that Harold should be received as his successor. The king shortly dies, and Harold is crowned. What course William pursued on receiving this intelligence, we shall describe in our next number.

(To be continued.)

THE HERMIT'S PAPERS.—No. 5.

WARBURTON once censured Pope for a poetical allusion to 'the music of the spheres;' as if every peal of consecrated bells, that filled the learned prelate's acute ear with the soothing melodies of our unwrinkled mother's mighty voice, were not 'the music' required! Notwithstanding a very slight offence against physical truth and logical propriety, the nightingale of Twickenham was (literally) right.

THE MYSTERY OF MIDSUMMER.

Non son, non sono, il mar, la terra e 'l cielo,
 Altro che di Dio specchi e voci e lingue,
 Che sua gloria cantando inalzan sempre.

CELIO MAGNO.

Among the readers of a Magazine, which, though still unseen, it is our intention to study *con amore*, when the time comes, there are few more orthodox than the Hermit: yet, that he has communed with the Gnoetics in their upper rooms and subterraneous retreats, night after night, it would be vain to deny. Here is indeed a gem from the misty caves of Grubbenheim—a small token of his noviceate—carved, nearly seventeen centuries ago, by one of St. Valentine's ingenious and imaginative devotees; which triumphantly confirms our appeal from the respected author of the Divine Legation, to the picturesque and sublime parallelisms in Antichrist's oriental liturgy. This gem is a magnet. On perusing the reverse, we found, with some surprise, that it only contained the seven vowels; first in their natural, and then in retrograde order, like the witches' Lord's prayer. But, as each vowel represents an angel and a planet, and as each planet answers to a faculty of the human soul, so each of these vocal sounds is likewise identifiable with one of the seven mariners of 'the ship of heaven,'—an apocalyptic minister of light and harmony—a 'son of God shouting for joy.' The face of our magnet is still more interesting than its reverse. The more you contemplate, the more you admire the taste and depth of feeling with which one of these Frauenlob refugee priests of 'the Mother of Abominations,' has depicted a Sun and Moon of first-rate dignity and grace. Their attitude is too eloquent, their every feature too full of heartfelt reminiscences of calm, domestic blessedness, to puzzle, for a moment, an interpreter who ever acted (or imagined) the part of these affectionate luminaries. Here they are seen almost in conjunction—*ut, re, mi, fa, sol, la, si*,—just an instant ere they part—*si, la, sol, fa, mi, re, ut*,—with an embryo 'farewell' on their lips!

Still, whether the greater and less light, whose honey-moons wax and wane for ever, really perform a *pas de deux* at Easter, is one of the grave questions in Sir Thomas Brown's Pseudo-doxia Epidemica. The worthy knight, rather frigidly, and with his usual circumspection, solves it in the negative, by the same compendious and plausible argument which silences 'the music of the spheres.' 'We shall not, I hope,' such are his words, 'disparage the resurrection, if we say the sun doth not dance on Easter day... Whether there were any such motion on that day, wherein Christ arose, Scripture hath not revealed, which hath been punctual in other records concerning solar miracles.* Sir Thomas, however, admits that 'metaphorical expressions' might go as far as this; and he should have remembered that this vernal striking up of the planetary dance is but a figurative and RITUAL locution. The fact is, nevertheless, indisputable, that 'the Egyptian priests,' (as we learn from a familiar acquaintance of the Ptolomies and their Arpedonaps), were wont to 'praise the Gods by a continual repetition of the vowels in their natural—or rather astronomical—order: indeed, the sound of these letters' (the notes of the gamut) 'was heard among them, in preference to that of the flute, and the harp, on account of the unrivalled sweetness of the human voice.† To comprehend this interesting notice of the cathedral services of the Star of Wormwood, we must recall to our imagination the 'seven chords' where-with the Omnipotent is supposed to have strung that most magnificent of lyres—THE UNIVERSE.‡

* Brown's Vulgar Prejudices. v. 21.

† Demetrius *περι ερμηνειας*.

‡ Unus è sapientibus apud Eusebium.

The apocalyptic morning light, or light of light, (the son of the Virgin Sophia, or Wisdom, *ἡνὶκα*, or Victory,) was adored by all Egypt, at *ἡνὶκα*. Beth Shemesh or Athor, the Antichristian or Gnostical Beth-el, under a variety of splendid titles.* But the hymns sung by its votaries, the *minims* of our celestial ministers of radiance, the *cynocephali* or monkey-like imitators, the priests,† were like their patterns in heaven, 'the music of the spheres,' inarticulate and incessant. We have no doubt whatever that Mercury's *Psalter*, (undiscovered though it be,) chiefly consisted of the seven 'unheard,' that is 'not understood,' vowel notes; arranged, according to some astronomical canon, into three hundred and sixty-five hymns in plain chaunt, one for every day of the religious year.‡ Here then is an hypothesis which completely upsets the notion, that St. Ambrose was the inventor of our cathedral melody: we are told by Augustin, that, in Athanasius' time, 'the psalms were sung with so slight an inflection, that it might have been called recitative instead of song:' now this was the Alexandrian usage. Ambrose's disciple traces it to Egypt.§

The novelty of some of these details will, we hope, prove a sufficient apology for their minuteness. Justin and Tertullian surely knew what they said, when they taunted Satan with plagiarism. Only read with attention the 19th and 103d Psalm, and the sweetest of earth's inspired sweet singers will inform you that

"Day unto day uttereth speech,
And night unto night sheweth knowledge:
No speech, no language!
Their voice is not heard!"

And then you will comprehend the full import of the true believer's virtual and actual *magnificat*;

"Bless the Lord, O my soul,
And, ALL THAT IS WITHIN ME, bless his holy name!"

With regard to the Midsummer hop of the most westward of the Norman isles, it is evidently a choral hymn of the seven vocal luminaries—an innocent heathen relic; the amusement of our childhood, and the problem of our riper years.

Near the residence of Mr. Collas, at the Vale, Guernsey, there once stood a famous rock. Its top was flattened for the convenience of the dancers who loved to gambol there—whether dead or alive, in or out of the body, fairies or mortals, or mere lads and lasses. This high place of the gentiles was BALAN's Rock—*la Roque-BALAN*. NOW BAAL, (for there are few who would question his identity with our BAL or BEL,) when improved into BAL-AN, BEL-EN or BEL-IN, by a suffix equivalent to AS and ODIN, the *first digit* and *monad*, is but a declaration of faith in the unity of this Lord of light. We almost remember—though born a generation too late—when La Roque-Balan was the Midsummer dawn rendezvous of all the youths and damsels, from Torveval to La Ville às Ples—and hence the well-known ditty:

J'irocs tous à la St. Jean
Dansair su la Roque-Balan.

On Balan's Rock, on St. John's day,
We'll merrily dance a roundelay.

At the close of the fourth century, a Christian professor of the school of Bordeaux still retained the odd title of *Ædituus*, or church-warden, of the temple of Beleans, at Bayeux; and the good man, it is said, delighted in tracing his pedigree to the druids of that celtic sanctuary. Indeed, *Bel-ec* or *Bel-ic* is still the Low-Breton term for a Catholic priest—whence the adage, '*blanc comme un Belek*,' or priest of *Bel*; whence, no doubt, also the St. Andrew's family name of *Belic*, and the misapplication of this venerable title of surplised holiness and purity, *Belin*, to common wizards, by early French writers on the Midsummer hop on Balan's Rock, it was no other than the far-famed kissing dance, '*le branle du bouquet*,' or '*Ha, mon beau Lau-ri-er*,'—a solemn measure which the thrice great Hermes, and his female auxiliaries of devotion to King Horus trod, with the same zeal as the Gnostics, and our own native curlew, worshipping *notre dame du Castel*, jabbering old witches. The merry looking God, with his arms a kimbo, (i.e. '*faisant le pot à deux anses*,') and a tremendous pair of stag's horns, between two laurels, whom the disciples of St. Valentine worshipped at *Terminus*, gamboling round him from midnight to sunrise, is but a Nicolaitan version of our solstitial '*Ha, mon beau Lau-ri-er*;' who, in concert with our Lady the Moon, presides over the 'leaf,' and the 'flower' too, of Chaucer's inimitable morning dream.||

* The Secret of Patmos, MS. c. 10.

† Horns Apollo.

‡ Clem. Alex. Stromat. vi.

§ 'La coutume de chanter les louanges de Dieu, à toutes les parties du jour et de la nuit, est plus ancienne que le christianisme.' (De Launoy.)

|| Soles Basilidiani. Gemm. xci.

Like the Daphne-phorus of ancient Greece, the elect dancer who represents on earth his solar Majesty, is still denominated 'my beautiful Laurel;' and '*quantâ decore,*' as Father Strada, of nightingale memory, said of Prince Alexander, '*quantâ decore et renustate, suæ gentis more, pensile corpus modulatè vibrat,*' surrounded by a choir of irresistible living planets, who alternately salute, and are saluted by the lord of brilliancy! How readily those glowing personifications of the celestial host obey the word of command! Still, this word of command is but the preliminary to a more explicit injunction.

Prenez cil qui vous ressemble,
Ha, mon beau lau-ri-er!
Ha, mon beau lau-ri-er qui danse!
Ha, mon beau lau-ri-er!

Faites le pot à deux anses,
Ha, mon beau lau-ri-er!
Ha, mon beau lau-ri-er qui danse!
Ha, mon beau lau-ri-er! *

Entre-baisez-vous, par le jeu d'amourettes,
Entre baisez-vous, par le jeu d'amour.

It was also the custom, at this period of the year, for every district of our island to elect a silent Beauty, who, like her proto-type, "the silent Moon," presided over "le lit de fougere," or flowery couch of Midsummer eve. On this interesting occasion, the rush-settle became a throne. It was strewn with leaves and flowers; garlands of every hue ornamented the lintel of the temple door; and its walls were hung in profusion with the same fragrant and beautiful drapery. Meanwhile, the hamlets' elect lady, being sworn to keep silence, sat on her leafy throne in holiday rural state, and received the warm congratulations of her loyal subjects of the other sex. She was called LA MÔME, or the silent one.

In fact, both Solstices were considered as periods of solar silence. Isis's only-begotten, the Midsummer Sun, is feigned to have been an untimely birth; the child of his father's ghost, emerging from a flower-bed, and seated on a water-lily, which conceals the deformity of his lower extremities. His fore-finger is glued to his lips by one of those adhesions which sometimes occur in obstetrical pursuits. Midsummer is the very day when "the boy Phosphorus" and "good God" of a well-known inscription, attains manhood. He stands still, and is silent. Diana meets Endymion. Moma smiles on her "lit de fougere," and her lips are hermetically sealed with innumerable kisses. The rationale of this dangerous ceremonial will, we think, be found in a passage of Geminius:—"Circa solstitia, incrementa dierum omnino sunt parva atque insensibilia: ita ut ferè usque ad dies quadriginta eadem magnitudo dierum permaneat. Nam et accedens et rursus discedens sol à punctis solstitialibus efficit insensibiles secundum latitudinem accessus, et, quoad sensum, SOLIS MORA fit."

* There was, however, a less refined 'pot à deux anses,' or *χυτρον*, when they took the patient, like a pot, by both his ears. Theocrit. Idyl. 3. v. 132.

HISTORICAL NOTICES OF THE CHANNEL ISLANDS.—No. 11.

(Continued from page 159, vol. lili.)

CASTLE CORNET still held out for the king, and Jersey remained devoted to the royalist's cause. The civil dissensions in Guernsey weakened the influence of the Parliamentarians, and they were fearful of not being able to resist an attack from Jersey, while the native population was so much divided against each other.

Under these circumstances, the magistrates addressed the following letter to Mr. De Beauvoir, bailiff, who was then in London, dated May 16, 1650:

"Sir,—The devotion we have always found you to display for the good of the country, induces us to write you these few lines, that you may be enabled to judge of the condition of the island, and report the same to the lords of parliament, pointing out to them our necessities and our poverty, and beseeching them to provide pay and provisions for their soldiers, and also, if they judge proper, to remove some of them, as their expenses are too heavy, and, with the blessing of Providence, the island may maintain its independence as well with a portion of them as with all of them. This letter is sent to Mr. De Haviland, who will

present it to you, and assist you in getting its wishes accomplished, and we earnestly entreat you to contribute your utmost to assist our poor island, which suffers dreadfully, and will suffer still more, unless it receives a quick supply of provisions and money, for the despatch of which we beseech you to use great activity, and also in all other things which concern the property, liberties, and franchises of the island. The authority given to Mr. De Havilland is strictly limited by his written instructions, and we send you a copy of the act of court, that you may see that those limits are not exceeded. We anxiously expect your happy return among us, and we request you to present our very humble respects to the governor, and remain yours, Peter Carey, James Guille, John Blondel, Thomas Carey, Michael De Saumarez, John Brehaut, John Fautrart, Peter Brehaut, James Le Marchant.

"P. S. We also entreat you to procure us some good vessels of war to protect our roadstead, for Jersey is full of frigates, and the trade of the island will be entirely destroyed if we have not this protection, and then we shall be in the abyss of misery."

Shortly afterwards, the local authorities forwarded the following letter to the celebrated Lord Fairfax, general of all the forces of the parliament of England:

"May it please your Excellency,—We cannot but acknowledge, with all thankfulness, the great care and goodness of the Parliament, and of your Excellency towards the island, in divers gracious dispensations, and especially in the mission of our pious and faithful governor, the Colonel Cox, by whose constant endeavour, and that of his careful officers, we may be bold to assure your Excellency, that the island is now, with the blessing of God, in a very good condition, and in a capacity of opposing whatsoever our enemies may attempt against it. And to these ends, we, the judge and justices, and all the people of the island that were able, did lately, at the motion of our honourable governor, subscribe the engagement, and resolve to observe it inviolate to the utmost of our power. Now, we humbly crave that your Excellency be pleased to accept our hearty thanks and deep acknowledgments for your signal favours, and that, in addition to your former goodness, your Excellency will be pleased, out of your fatherly care and gracious providence to this poor island, to provide timely for the payment of the soldiers sent hither, that this place (incapable of that burthen) may not be charged therewith; and the obligations that we owe for the premises to your Excellency will be greater than the lives and estates of your Excellency's most humble and faithful servants, the judge and justices of the island. (Signed) Peter Carey, James Guille, John Blondel, Thomas Carey, Michael De Saumarez, John Brehaut, John Fautrart, James Le Marchant."

Public tranquillity was now maintained for some time, nor indeed are we aware of any local disturbance from this date till the surrender of Castle Cornet to the Parliamentarians on the 17th of December, 1651, to which we shall presently allude; but we have seen so much of Peter Carey, that we cannot take leave of his MS. without placing on record the following details, though they are entirely of a personal nature:

"Thomas Traimailler, described as well versed in the laws and institutions of the island, and as a gentleman of good repute, observed to Peter Carey, that he exercising his duties as an advocate before John Fautrart, sen., and Michael De Saumarez, jurats, in the affair of the succession of John Painsec, deceased, had occasion to go to the house of the said Painsec, to examine certain documents, when he discovered, among his papers, a very ancient Extent, written in Latin. When the said Traimailler had read it, he found it to contain, *inter alia*, a list of the principal inhabitants of Guernsey, tracing back the pedigree of Mr. Louis De Vic, whose first ancestor, as therein named, was a Laurence Careye. He immediately mentioned the fact to the two jurats, then present, when John Fautrart took up the document, placed it in his pocket, and carried it away. As soon as Peter Carey was apprized of this circumstance, he requested John Fautrart, through his most intimate friends, to allow him to examine the said Extent, or to give him a copy of the list of the principal inhabitants and bailiffs, he being told that the first bailiff on the record was a Carey, who presided on the bench about the year 1312, before there was a seal in the bailiwick. It appears that Fautrart always fed Carey with the hope of seeing this Extent, but though they were very good friends, he constantly evaded gratifying Carey's curiosity. Fautrart dying, and his eldest son obtaining possession of his papers, Carey employed the Rev.

Daniel Fautrart, his mother's husband, to get a copy. The son promised to accede to his request in two days, which being expired, the reverend gentleman proceeded to the house of his relative, where he found Mr. John Bonamy, the senior jurat, and Mr. Traimallier, both of whom had seen the Extent, and read the roll of the bailiffs, at the house of the deceased John Painsec. In their presence, John Fautrart looked out the document, and having turned over the leaves, the part relating to the bailiffs was missing, and those gentlemen detected the spot from which that portion had been torn away; and they then declared openly, that they had formerly read in the same book a roll of the bailiffs, and that the first on the list was a Carey, and that the date annexed to his name was 1312, or thereabouts; and they further declared, that malice and envy must have prompted some person or persons to deface the Extent. After having given this account, Peter Carey adds, that he has written the statement that it may be known to his posterity, whom he exhorts to humbleness, not to boast of their ancestors, but to emulate their virtues, and thus prove themselves worthy of their descent by their deeds."

To this statement is appended the following marginal note, evidently written by some friend or relative, at a later date. It is to this effect:

"Mr. Carey is incorrect in saying that there was no public seal in the bailiwick in 1312. A seal was sent to the islands of Guernsey and Jersey, bearing date the 15th November, 1279. See the seventh year of the reign of king Edward the First, and the letters patents which are thus worded: We have caused to be made a certain seal, which we herewith send, and we command you to make use of it for the future."

On the 15th of December, 1651, Castle Cornet surrendered to the parliamentarians, when the following articles of capitulation were agreed to, and concluded, between Major John Harrington and Mr. Edmund May, commissioners, chosen, and empowered by, and on behalf of, Colonel Roger Burgess, governor of Castle Cornet, on His Majesty's part; and Lieutenant-Colonel Barrett Lacy and Mr. John Trottle, commissioners, employed and empowered by Colonel John Bingham, governor of the island of Guernsey, on the parliament's part:

"1.—It is mutually agreed on, that Castle Cornet, with all the fortifications thereunto appertaining, together with all the guns, arms, ammunition, and provisions of war, with all goods, whether military or otherwise, now in the said castle, (except such as are hereinafter excepted,) shall at, or upon, ten of the clock in the forenoon, on Friday, the 19th of the instant December, be delivered into the possession of Colonel John Bingham, or those whom he may appoint, without any spoil or embezzlement whatsoever; and that, on the mutual signature of these articles, no further act of hostility shall be attempted by either party, but, in the interim, the officers and soldiers of each party shall keep their respective guards and quarters, without special leave granted by both parties.

"2.—That Colonel Robert Burgess, governor of the said castle, with all the officers and soldiers appertaining to the said garrison, shall have liberty to march forth with their arms, and all their wearing apparel of what kind soever, drums beating, ensigns displayed, bullet in mouth, and match lighted at both ends, into the island of Guernsey, there to lay down all their arms, except their swords, and those they shall be permitted to wear, take away, and enjoy; and the said governor, and his commissioners to this treaty, shall each be allowed one case of pistols.

"3.—The said Colonel Burgess, together with all his officers and soldiers, shall be provided and accommodated with necessary and convenient provisions, according to their respective qualities, for the full space of twenty days, next ensuing the date hereof, whether on shore in the said island, or on shipboard, by Colonel John Bingham, free and without any disbursement either by the said Colonel Burgess, or any of his officers or soldiers.

"4.—That the said Colonel Burgess, and as many of his officers and soldiers as are desirous to repair to England, shall, without any delay, with their forementioned arms, monies, and other necessities, be embarked in convenient shipping with safe convoy, to such part or port of England as wind and weather may permit. And such as are desirous to repair to Jersey or France, shall be transported thither with all convenient speed; and that, from the day of their arrival in England, or Jersey, for the full space of three months, no oath nor engagement shall be imposed on the said Colonel Burgess, or any of his officers or soldiers: and if all, or any of them, shall desire to sell their estates, it shall be lawful for

them, within three months, to effect the same, with free leave, and effectual let-passes granted for the withdrawing with their goods and families out of any of the parliament's quarters.

"5.—That an act of indemnity be procured with all convenient speed from the parliament of England by Colonel John Bingham, for Colonel Roger Burgess, and for all his officers and soldiers appertaining to the said castle, as unquestionable for all and every act or acts, by him, or them, or by his or their command, at any time committed either by land or sea, against the commonwealth of England, from the year of our Lord 1640, to the present date hereof; and that all and every, the said officers and soldiers, shall have free liberty to travel about their business with the forementioned arms, respective horses, servants, or other necessities where their occasions may serve, in any of the parliament's quarters, they acting nothing prejudicial to the commonwealth of England.

"6.—That all and every person aforesaid, shall have free liberty to repair to their several countries and estates in England, Ireland, Wales, or any other of the parliament's quarters, and there quietly abide, (if they so please,) without any restraint; and all sequestrations against any of their estates shall forthwith be declared void, without any composition whatever.

"7.—That the said Colonel Roger Burgess shall, at any time within six months next ensuing the date hereof, with his horses, swords, pistols, and servants, not exceeding in number six, together with all other, his, or their necessities, have free leave, and let-pass to repair to His Majesty, to give an account of his surrender; and also to return to England and Wales, to dispose of his estate as he shall please, he giving security, neither to act, nor advise, any thing prejudicial to the commonwealth of England.

"8.—That Colonel John Bingham shall well, and truly, pay, or cause to be paid, unto Colonel Roger Burgess, or his assigns, the just and entire sum of one thousand five hundred pounds current English money, on Thursday the 18th of this instant December, at, or in, the house of Mrs. Carey, widow, (being the appointed place of treaty,) and that in consideration of the great civility showed by the said Colonel Burgess and his garrison to Major Harrison's resolute and gallant party, that became prisoners in the assault thereof.

"9.—That Captain Francis Poure and Mr. Edward May, shall be given as hostages by Colonel Roger Burgess to Colonel John Bingham, on payment of the beforementioned sum, for performance of these articles, on his part; and on the reddition of the said castle, the said hostages to be disengaged, notwithstanding any pretence to the contrary.

"10.—That two officers of Colonel Bingham's, Captain Charles Waterhouse and Ensign Thomas Cromwell, shall, with safe conduct, under the hand and seal of Colonel Burgess, repair to Castle Cornet, (after notice given to Colonel Burgess, from his hostages, that the money agreed on is by them received,) there to take an inventory of the said provisions and utensils.

"11.—That Major John Burgess, Captain Henry Geach, Mr. Thomas Byng, Mr. Richard Johnson, John Plunkett, and John Yackesley, properly belonging to the said castle, and now absent, shall equally enjoy the benefit of the said articles, as if present. And in case any of them are, or shall be, taken prisoners by any of the parliament's forces, (before the surrender,) they shall forthwith be discharged and indemnified. And under these articles, Captain Faen Hache, and Mr. William Due, are comprehended.

"12.—That all sick persons appertaining to the said castle, shall be permitted to remain in the said island of Guernsey, until they shall recover strength to depart, without any reproach or abuse, and have let-passes (when recovered) to repair to their respective homes.

"13.—That all such moveable goods, and household stuff, now in the said castle, properly appertaining to Captain Nathaniel Durell, shall be delivered to him, or to those whom he may appoint to receive the same, on his, or their demand; and that two beds brought into the castle by Captain John Clarke's order, shall be delivered unto him, or to those whom he shall appoint, on his, or their demand.

"14.—That if any officers or soldiers comprehended in these articles, shall, in any particular, break or violate the same, it shall extend only to the particular person, or persons, so offending, and not be imputed or charged to any other of his party.

(Signed) JOHN BINGHAM."

COMMERCE OF JERSEY.—No. 7.

THE notions of many persons concerning foreign trade have, in many cases, been erroneous. Some have regarded it as almost the only source of prosperity to a country, from the exports which it occasioned, while they have exerted themselves to prevent importation; and others have paid too little attention to it from a consciousness of the superior value of the home trade. An investigation into the nature of commerce and of wealth will teach us not to disregard foreign trade, for it is a good promoter of the home, and not only alimments our industry, but supplies us with many productions and commodities, of which otherwise we should have been deprived. It increases our wants and it increases our means of supplying them. Each country is peculiarly adapted for the growth, or production, or manufacture, of particular articles or commodities. It would appear that the God of nature had so ordered things, that man should require the assistance of his brother man, not only of the same kingdom or nation; but of distant countries, and that their mutual necessities should engender mutual good feeling. While each climate is naturally attended with advantages peculiarly adapted for it, and the productions of each are such as are particularly required in each, which beautifully illustrates the goodness of the Creator, an interchange takes place, by what is called the foreign trade, whereby some of the advantages enjoyed in one climate, can be participated in another. The productions and the manufactures of either are exchanged, and the wants of the people are enlarged and gratified, and their comforts extended and increased.

In the natural course of things, the intercourse between countries would increase with their wants and their industry, and a barter would continually go on of the various productions of either country: the fruits, the wines, the coffee, the sugar, the rich productions of the South, would be exchanged for the manufactured commodities of the North, and the only check which this intercourse or commerce would receive, would be according to the ability or the extent of production of the respective countries. The greater their wealth, the greater their industry, the greater would become their commerce. But speculative notions, said to be based on experience, but probably originating in self-interest, have sadly injured the free and natural intercourse between nations. The belief became prevalent that the excess of the value of importations into a country over its exportations was so much loss to the community, and that therefore exportation should be encouraged as much as possible, and importation discouraged. The plain and simple principle was overlooked, that if a country wished to sell to another, it must receive in payment either the productions of that other country or of a third, and the more it received for what was exported, the more must naturally be the gain. It matters not, in one sense, in what shape the increased value of exported goods, sold abroad, returns, whether as foreign commodities or in gold; but the notion that the less which is received for what is sold, is so much the more advantageous, when placed in plain words, is sufficiently pregnant with absurdity. The great source of this view of commerce arose from the erroneous opinions which were entertained of wealth, which was falsely, very falsely, supposed to be contained in gold, and in gold alone, and not in the exchangeable value of commodities; as if an article worth one hundred pounds sterling was not as much wealth as the same amount in money. The great inducement was, therefore, to cause the importation of as much gold as possible, whereby it was supposed that the wealth of the country was proportionally augmented. The limits to which my subject confines me do not allow me to extend my observations on this topic. If the mercantile theory, as it has been called, be true, Jersey and Guernsey, instead of being prosperous, would be fast hastening to ruin, for their importations are yearly of much greater value than their exportations, and I cannot conceive how the advocates of that theory, or rather

hypothesis, could reconcile the fact with their views, for they could not reply that the accounts were balanced by our exportation of the precious metals, for we have neither gold nor silver mine, and the gold and silver which we have, both that part which is worked up either for ornament or use, and that which we employ as a circulating medium, is imported from England and France, though in Jersey especially from the former, since the change in the law regulating our legal tender.

Traffic between two nations is mutually advantageous. The one barter that which it is more qualified and more adapted to produce, for that which it is not ; it gives that which it can obtain or manufacture with more facility and at a less cost for that which it could not so well, so cheaply, or so easily, produce at home. If, by exporting that which costs in the production one thousand pounds, we obtain in return commodities which we could not produce or manufacture for less than fifteen hundred pounds, are we not gainers; is not the community a gainer of the difference? Hence the absurdity of encouraging the production of that which a country is not so well fitted to produce as another, and the loss which that country actually suffers, though not perhaps apparently so to the bulk of its inhabitants; and the absurdity of encouraging in France the growth of tobacco, and the manufacture of beet-root sugar, both bolstered up by prohibitions and duties on importation, and, I believe, bounties on the home production, instead of having commerce free, whereby the industry of the people would be directed into channels equally profitable, at least to individuals, and much more so to the community. and which would not offer a premium to smuggling, and encourage the evils attendant on smuggling. Home industry is more favoured by a free commerce and intercourse with foreign nations, than when we attempt to promote it by shackles and impediments to trade; and it is so for this plain reason, that if we import from a foreign country, those goods not only cost us less, but they must ultimately be paid for by some products of that country requiring them. Commerce is but an extensive system of barter, though apparently complicated; and if we wish to purchase, we must have something to sell, or, in other words, to give in return: and a nation has nothing else to give but the products of its land, its capital, and its industry.

The Channel Islands, as I remarked in a previous article, have been most materially, and I do add intellectually, improved by their free commerce with England and other countries: and the improvements in machinery and in the arts, whereby the productiveness of capital and industry have been vastly augmented, and the cost of commodities consequently much diminished, have considerably increased our wealth and our comforts. This has been done precisely in the same manner as is the case with all those countries which have had commerce with others which had improved in the arts more than they; and the advances which England particularly has made, especially in manufactures by machinery, have not only benefitted her, but the whole world; and even the savage tribes, by giving some of the rude productions of their country, of their labour, or of the products of their chase, receive, in return, iron implements, and other helps to industry or comfort, and articles of apparel, which their united skill could not produce, though they should devote years to the attempt.

It is principally to the commerce with rich and manufacturing countries that we must attribute the ameliorated condition of many people. The more wealthy are our neighbours, the more enterprize they possess; the more discoveries and inventions they make, the more they improve their machinery and diminish the cost of production, the greater become the advantages of those countries which sell to, and purchase from, them. We are thereby enabled to procure a much greater quantity of commodities for the same cost or value; and the cheaper they are, the more general is their utility and the greater the use and consumption of them. Every nation is interested in the prosperity of another. Whatever increases the productiveness of industry, is not only an advantage to the country in which that

is effected, but to all others with which it has any connexion. Owing to the substitution of machinery, in some instances in England to manual labour, and the successive improvements in machinery, and the application of steam as a moving power, the real price of products has materially declined without any permanent loss accruing to any individual; for the difference of cost thereby effected is so much actual gain to the community; and very many persons, whose limited revenue did not allow them previously to purchase any of those articles, are now, by the superior productiveness of industry or their cheapness, enabled to do so, and thus to increase their comforts and enjoyments. These principles, which are not only in accordance with the interests of nations, but with the dictates of morality and of an enlightened age, are capable of general application; and I have been led to notice them from the remarkable manner in which their truth has been manifested in the Channel Islands. If the natives were under a necessity of manufacturing for themselves articles which they daily require, and which they now import from England and France, the cost of production would be so great, that the greater number of persons would have to forego the enjoyment and use of many commodities, and the present prosperous condition of the islands would vanish,

And, like the baseless fabric of a vision,
Leave not a wreck behind.

If, from some dire calamity, provisions in France rose considerably in price, we should also be sufferers to a serious extent; and, however the spirit of former legislation could have desired the former, true philosophy points out that the consequences of such an event would not be partial, for the ramifications of good and evil are more extensive, than may at first sight appear.

Commerce is more encouraged by the removing of the hindrances to it, than by restrictions and prohibitions; and competition, in a natural state of things, is not disadvantageous, for it leads to improvements. Let the breeze of competition fan the flames of industry. Let not the fear exist that such a breeze will extinguish those flames;—no, it will increase their vigour. I am aware that competition will sometimes weigh heavily upon those who are subjected to it, but it gives, at the same time, fresh energy. It is the parent of improvement: the uneasiness which it creates is not accompanied by despair, but by a determination to overcome. The struggle which ensues is one of victory to an enterprising nation—a victory not attended with subsequent evils, but with benefits—a victory which causes not the mother's pang or the orphan's groan, but which adds to the comfort of the cottage as to that of the palace. Without competition, commerce would cease to flourish, and the arts would fade; few improvements would take place, and Britain would not hold her proud pre-eminence—the effect of her freedom, her industry, her wealth. When a branch of industry is not advantageous or natural to a nation, competition will overpower it; when another is favourable to the interests of a community, competition will advance and improve it. Thus machinery has succeeded manual labour, and the mighty steam engine has arisen from a simple discovery, which competition has adopted for the perfecting of its plans, and the facilitating of production. Many a tree is proud of its greatness, its height, its extended branches, and its verdant leaves, in its native climate; while in another, not naturally adapted for it, the same species of tree is sickly and wan; and all the care and skill of the gardener but prolong its consumptive and feeble existence, but cannot give vigour to the sap, and health to the vital part.

I have noticed some of the advantages which the Channel Islands derive from their commerce with England: I shall now glance at some of those which England derives from us; and I intend, in this place, to limit my observations to the commercial benefits, and not to include those political advantages which England may and does derive from her possession of the Anglo-Norman Isles. They furnish an ample market—ample in comparison to their extent—for many of the productions and manufactures of England; for we import from Great Britain to a much greater value than

we export; and I am the more desirous of making this observation from the very ill-natured and selfish remarks which are made by some persons in that country relative to our exports to England duty free. If by any means the ports of England were shut upon us, we should be much shackled in our means to purchase: if it is desirable that we should buy, is it not necessarily so that we should sell? and if we are crippled in the one, in the latter especially, how can we be expected to prosecute or follow the other? I am sorry it is not in my power to give a statement of the value of our exports to, and imports from, Great Britain; but from an enumeration of some of the articles imported, I think there will not remain the shadow of a doubt in the minds of the unprejudiced, or even of the prejudiced, that if the Channel Islands are much benefitted by their free commerce with England, she also derives from it a proportional advantage, in comparison to their relative extent, and that the value of what we purchase there is greater than of what we there dispose.

The exports from Jersey to Great Britain, I have in some previous articles noticed. The principal objects of import are manufactured goods, such as cottons, woollens and linens; but the quantity of each is not enumerated at our custom house, where these commodities are entered only according to their packages and not to the contents of these, so that the quantity cannot be stated; but it may be considered as very large, from the great number of bales and packages which are continually brought over by the traders and steamers, and the value must also be very considerable. These goods are not only required for the use of a large and increasing population, but many of them are intended for exportation to British North America, as before-mentioned.

The imports of some of the commodities from England were as follows during three years:

Coals.		Iron.				Sail Cloth.
Consumption.	Exportation.	Wrought.	Hoop.	Bar & Bolt.	Pig.	
1833..16,838 tons	..401 tons	..47 tons	..23 tons	..255 tons	..250 tons	..59,626 ells.
1834..17,731 "	..325 "	..59 "	..18 "	..280 "	..79 "	..37,686 "
1835..21,560	—	—	—	—	—	—
Earthenware.		Stoneware.		Red Pottery.		Salt.
						Tiles.
1833..51,604 pieces	..12,076 pieces	..1,482 pieces	..8,460 bushels	..282,360 tale.		
1834..51,012 "	..1,852 "	..14,688 "	..39,940 "	..168,203 "		
1835..80,849 "	..4,685 "	..13,607 "	.. "	.. "		

This statement, I repeat, gives a very imperfect notion of the extent of our imports from Great Britain, for of others most valuable I can supply no table.

The benefits of a free trade are better perceived if we regard the whole community as consumers, as indeed they are; and it follows from this view that the cheaper are the articles of consumption, the more available they become to the bulk of the community, the greater will be the advantages derived, and the more considerable the consumption. This is evinced by the greater cheapness of wearing apparel, whereby the poor man can now better and more easily clothe himself and his family for a less quantity of his labour, or a smaller proportion of his earnings, than at the time when he was not only compelled by the high price, but by law, to wear a coarse russet; and he can now partake of a better quality of food than he could then. Of course, general statements of this nature will admit of some particular exceptions, and we may, and we do, meet with some cases of poverty as wretched and as painful as could at any time exist; but, in our comparatively happy land, poverty is relieved, and the general truth which I am describing is apparent. Increase of consumption, therefore, takes place with increase in the productiveness of industry, or, in other words, with cheapness of price. Whenever the price is maintained at a high rate by artificial and unnecessary regulations, an injury is committed on the community, which cannot well be justified, except in some cases, on political grounds. It is on that principle that the withdrawal of the exclusive trade

to China from the East India Company was beneficial to the community; and now, by reason of the free trade, teas are imported at a much less expense than formerly, and are more available to the bulk of the consumers. I take no notice of the present temporary depression in this trade, for it is not peculiar to it, and not essentially caused by the free trade, but produced chiefly by causes whose effects are felt throughout the commercial portion of the kingdom, and of other countries; I allude to the actual state of money affairs, and of the over-speculations which have taken place with a borrowed capital. What I have remarked will be partially illustrated by our import of tea from England, which of late years has considerably increased. A statement of that during the past seven years will palpably shew this:

In 1829.....	20,777 lbs.
1830.....	15,312 „
1831.....	18,951 „
1832.....	17,033 „
1833.....	38,993 „
1834.....	56,503 „
1835.....	105,257 „

The question will suggest itself—to what is this increase owing, for then, as now, no teas could be imported, according to law, except from England? The plain answer is, the free trade to China; and I shall briefly shew the manner in which this operates in our case. Teas formerly imported into England by the Company cost much more than they do now, by the free trader; and we were not allowed to import any except from England, which we obtained with the drawback. But even with the return of duty, these teas cost considerably more than what they could be purchased for in some of the continental markets; and much tea therefore found its way into this island from other ports, though contrary to law; and many persons would defend this proceeding on the principle, that neither the revenue of the British Government nor of this island were injured by this illegal traffic, and that the only injury sustained was by the East India Company, whose profits on the teas which they should have sold for this island would not have been equivalent to the advantages derived by this island, from the less cost by importing from other countries. Since the China trade has been free, teas are imported into England and sold at a less price, than in other countries, so that the importation here does not now take place, except from England; and the cheaper price at which they are sold, not only causes a greater trade, but increases the consumption in a proportional degree. This is an illustration, though but an inadequate one, of the benefits of a free trade; yet we may apply the principle on a wider sphere, and the general results will be nearly the same.

Of our trade to France, I have before noticed our importation of oxen and provisions: these form an important part; but, besides these, I may add the following:

	Wine. gallons.	Brandy. gallons.	Cotton. yards.	Linen. yards.	Stained Paper. square yds.	Pottery. pieces.	Wooden Shoes. pair.
1833....	23,266	39,700	11,967	8,616	72,562	2,680	5,087
1834....	116,275	44,024	16,860	21,395	46,750	13,100	1,000
1835....	32,190	63,905	17,760	13,800	—	8,922	—

The pottery is chiefly wanted for our dairies, as it is preferred for the keeping of milk and butter. French stained paper, on account of its greater cheapness, is principally employed. The manufactured goods imported from France, bear but a small proportion to those from England. Sheb-bearé, who published his work on the island in 1771, remarked, that “as the inhabitants are by no means infatuated with French fashions, their apparel of all kinds is bought in England;” but times are changed even since then; *tempora mutantur nos et mutamur in illis*, according to the motto adopted by my friend, in his article on “Guernsey in 1777 and 1837.” The bulk of the apparel is certainly still purchased from England, but the

French muslins and the rich silks are tempting to many a fair one. If the principle of utility were fully carried out, which I should sincerely regret, what a havoc would be made among the costly dresses of many a *bonnie lassie*; but our notions of utility vary with their birth times, and it is equally certain that much which is viewed as luxuries at one period becomes, through improvements in the arts, necessities in another.

The wine imported is of course of various qualities—from those required for the delicate palate of the connoisseur, to the common kinds sold by the measure. There are also in favourable, and often in unfavourable, moments, several cargoes of the common red wine of the South, bought by the island merchants, and shipped in their vessels for Brazil and the River Plate; but during these past years, the competition in this branch of commerce has been so great, and the quantity sent to those South American markets so considerable, that several losses have been incurred.

The treaty of Huskisson with France has been disadvantageous to this island. The views of that statesman on commerce were liberal and enlarged; but by a part of the treaty we were deprived of a branch of industry, which was perhaps of more advantage to our French neighbours than even to ourselves. Previously to that treaty, quantities of ox and cow hides from the River Plate were imported here and exported to St. Malo, whereby employment was given to the French traders, and the tanners there were supplied with hides at a much cheaper rate than now, and we enjoyed more facility in paying for our imports from France. The treaty has prevented that traffic in the clause which enacted "that the produce of Asia, Africa, and America, shall not be imported from the same countries nor from any other in British vessels, nor from the United Kingdom in British, French, or any other vessels, into the ports of France, for the consumption of that kingdom, but only for warehousing and re-exportation." It is thus that, acting on an exclusive system, a nation injures itself as much and sometimes more than it does another; for, in this particular case, the tanners at St. Malo, who would most willingly continue to purchase hides from us, must now pay a much higher price for them, whereby that of leather is raised, and the French coasters are obliged to return home empty, instead of, as heretofore, making a small freight. As a general truth, we shall find that "relativement à l'industrie et à la richesse, c'est l'état de liberté, c'est l'état où les intérêts se protègent eux-mêmes. L'autorité publique ne les protège utilement que contre la violence."

Our exports to France are very inconsiderable, and consist chiefly of the produce or manufacture of other countries. During three years, the chief export was as follows:

	Coals.	Bricks.	Potatoes.
1833.....	375 tons.....	9,100 tales.....	149 tons.
1834.....	562 „	118,000 „	159 „
1836.....	483 „	31,950 „	37 „

Our commerce with Sweden and Norway consists principally in the importation of fir timber and deals. Owing to the increase in the population of the island since the conclusion of the war, and the number of English families who have fixed their abode here, the number of houses built has been very large, and the importation of timber from Sweden and Norway considerable. The following is a statement of the importation during three years.

	Fir Timber.	Deals.	Oak Timber.
1833.....	1,181 loads.....	530 C	— loads.
1834.....	1,816 „	700 „	235 „
1836.....	1,036 „	605 „	673 „

There was re-exported the following quantity of Brazilian produce to Sweden and Norway:

	Coffee.	Sugar.
1833.....	3,520 lbs.....	445 tons.
1834.....	186,760 „	234 „
1836.....	71,840 „	409 „

From Russia, our chief imports are cordage, hemp, tallow, and linen. Some of the cordage is re-exported; but the hemp is employed by our rope-makers, and the tallow by our soap and candle manufacturers. The importation was in

	Cordage.	Hemp.	Tallow.	Linen.
1833.....	236 tons.....	174 tons.....	135 tons.....	15,543 yards.
1834.....	158 „	225 „	68 „	9980 „

The export to Russia is not considerable, and consists in a few tons of logwood and mahogany, and sometimes of fruit and wine.

From Russia it is that the chief portion of foreign wheat consumed in this island is imported; and our commerce with that country is entirely limited to the importation of wheat, barley, and oats, and occasionally of fir and oak timber. The principal imports were in

	Wheat.	Barley.
1833.....	15,041 quarters.....	1350 quarters.
1834.....	18,668 „	1679 „
1835.....	12,761 „	— „

These are brought over in their own vessels, at a less cost than if English vessels alone, by an act of the legislature, were empowered to do so. The arrivals of their vessels commence in April and May, and cease in the autumn.

Wheat and barley are also imported from Denmark, which, with pork, comprise nearly the whole of what we import from that country. We imported in

	Wheat.	Barley.	Pork.
1833.....	6,522 quarters.....	861 quarters.....	305 barrels.
1834.....	3,539 „	491 „	712 „

We occasionally export some of the produce of Brazil to Denmark, both directly, and also after having been landed here. Of the former I can give no statement; that sent from this island consisted

In 1833.....	34 tons Sugar.....	54,880 lb. Coffee.
1834.....	21 „ „	752,000 „ „

but this is no criterion of the quantity which is actually sent by the Jersey merchants.

To Hamburg we export nothing from this island, but many cargoes of the produce of Brazil, shipped by our merchants in their vessels, are annually sent to that extensive market, through which a great part of Germany is supplied with foreign commodities. Our imports from that country vary according to circumstances and to the prices of the goods. They were in

	Oak Timber.	Wheat.
1833.....	156 loads.....	1,909 quarters.
1834.....	253 „	3,259 „

With Holland our commerce is, in some years, considerable. Our imports from that country, for our consumption or use, consist in Geneva, cheese, hoops, and tiles. The quantity of Geneva, or Hollands, consumed in this island, depends, in a great measure, on the proportion which its price bears to that of brandy. The chief importations were in

	Geneva.	Glazed Pan Tiles.	Red Pan Tiles.
1833.....	39,037 gallons.....	40,000 tale.....	30,000 tale.
1834.....	50,676 „	155,500 „	30,000 „
1835.....	47,325 „	47,000 „	109,000 „

Our exports to Holland consist principally of Brazilian produce, which is sent both directly, as to Hamburg, and also after having been transhipped here. Of the latter the quantity was in

1833.....	121 tons Sugar.....	499,029 lb. Coffee.
1834.....	28 „ „	92,640 „ „
1835.....	55 „ „	255,214 „ „

Since the separation of Belgium from Holland, our exports from Brazil to the latter country have materially increased, while to the former they have proportionally decreased.

	Wine.	Brandy.	Salt.
1833.....	87,893 gallons.....	49,905 gallons.....	404 tons.
1834.....	59,523 „	117,544 „	850 „
1835.....	57,435 „	78,804 „	722 „

Friends meditate 'gainst friends the secret blow,
For some slight cause of wrath, whence life's warm blood must flow.

	Wine.	Brandy.	Lemons.	Oranges.
1833	.... 32,161 gallons	.... 34,085 gallons	.... 742 boxes	.... 973 boxes.
1834	.... 14,729 „	.... 15,040 „	.... 585 „	.... 734 „
1835	.... 13,247 „	.... 6,800 „ — „ — „

1893.....	67 tons	Mahogany.....	71 tons	Logwood.
1894.....	71 "	"	27 "	"

Flour,	31 tons.	Cotton Hose.....	372 pair
Potatoes	42 „	Pork.....	200 barrels.
Cotton.....	14,095 yards.	Geneva.....	1,399 dozen.
Linen.....	5,100 „		1,382 gallons.

1883.....	694 tons Sugar.....	470,251 lb. Coffee.
1884.....	222 " ".....	1,018,080 " "
1885.....	702 " ".....	262,374 " "

part of which was re-exported, as will be seen in some of the preceding statements.

Our exports to Brazil are various, but consist principally of codfish, as I noticed in a previous article.

Several cargoes of wine are annually shipped to Brazil by island merchants in their own vessels, from France, Spain, and Sicily; but of late years this branch of commerce has been so overdone that losses have been sustained, shipments by island merchants have been less, and discouragement general.

Of our trade with British North America, and of our fisheries there, I have already written.

I hope that I have now conveyed a general notion of the commerce of Jersey. I may, perhaps, by some of my countrymen, or by some of the natives of the sister isle, be blamed for having given a detailed account of our industry and prosperity, from a fear that it will but foment that jealousy which some few self-interested persons in England entertain towards us, and who would gladly deprive us, if in their power, of those privileges upon which our commerce depends for permanency and success, and behold the goodly flower wither and die; but we rest with confidence on the justice and generosity of the British Government, and on that crown, from which most of the blessings which we enjoy have flowed, still flow, and will continue to flow; nor would a gracious sovereign consent to withdraw those charters, till we have deservedly forfeited them, which his predecessors granted for services rendered by the natives of the Channel Islands, their constant loyalty, and attachment to the crown. If the hand of violence were to destroy our charters, the commerce and prosperity of the Channel Islands would rapidly decline, and soon become as a tale that is told: our merchants, with their shipping, would be obliged to abandon their native shores, where they could no longer come into competition with merchants in England and in other countries, and where even now they labour under disadvantages, both from their locality and distance from the seat of bustle and commercial intelligence, all which is borne with satisfaction, while we are enabled to battle against them by reason of our free trade and privileges. But these, far from being prejudicial to England, are an advantage, as those who consider our commerce with her, and the much greater value of our imports from her, will sufficiently appreciate. But there is another consideration—a political one—one which must have, or which should have, its due weight—that of our proximity to the coast of France, which, in time of war, has an eye to these islands, from the great injury the French could then inflict on English shipping in the Channel, if they could once gain and keep them under their sway. The attachment of the islanders to the British crown has almost become proverbial, and this is well estimated by the French. In an account which was written by the Governor of Cherbourg, (who cannot be accused of partiality in our favour,) who planned the last invasion of Jersey, though it was a little deviated from, and who was to have had the command of the expedition, are the following observations: “*Ces deux îles, (i.e. Jersey et Guernesey,) font le désespoir de la France au début de chaque guerre, par un corsairage très-actif, qui commence toujours par enlever une grande quantité de vaisseaux, et qui coupe et détruit toute communication et tout commerce entre les ports de la Manche, avant que la France ait pu prendre aucune précaution pour protéger sa navigation côtière, par des armemens. L’habitude de braver les dangers de la mer, rend les habitants très-braves; ils forment un corps de milice bien disciplinés, bons tireurs, et qui seraient en état presque seuls, de repousser l’ennemi qui serait descendu. Leur attachement au Gouvernement Anglais est très-fort et proportionné à leur intérêt. Bons voisins pendant la paix, liés même assez étroitement par la contrebande, qui les enrichit, avec les habitants de la côte de Normandie et de Bretagne, qui les avoisinent, ils deviennent des ennemis très-dangereux dès que la guerre se déclare, ou plutôt, ils sont toujours en état de guerre, tantôt contre les douaniers des deux royaumes, tantôt contre la marine*”

marchande Française. Une pareille population ajoute encore à la force naturelle de ces îles.”*

I must beg to be excused for the length of this quotation; but it is a valuable one, from a manuscript very little known, and it furnishes an argument, supplied by an enemy, of the political advantage which England derives from retaining—which is so easily done—the good feeling of the natives of the Channel Islands.

I shall have a few remarks to add relative to our commerce, which I shall conclude in one article more.

L. Q.

CONSTITUTION OF GUERNSEY.—No. 1.

LEGISLATIVE—EXECUTIVE—JUDICIAL.

The *legislative* authorities are the BRITISH PARLIAMENT, the KING IN COUNCIL, the STATES, and the ROYAL COURT, each of which shall be treated of separately.

The *executive* and *administrative* are the GOVERNOR, and the ROYAL COURT. The *judicial* are the PRIVY COUNCIL, the ROYAL COURT, the ECCLESIASTICAL COURT, and the FEUDAL COURTS, among which last the principal are the *Cour du Fief St. Michel*, and *Cour du Comte*, both courts of record, and possessed, by royal authority, of a seal.

LEGISLATIVE.

THE BRITISH PARLIAMENT.

Every Act of Parliament in which the island of Guernsey is *specially named*, when transmitted by the clerk of Council, has force of law,—provided it does not extend to the levying of taxes upon the inhabitants.

The island must be specially named.—This is laid down as an axiom by Lord Coke; and, in point of fact, upon his authority alone have acts of parliament, in which the island was thus named, been declared law. Yet the only case relied upon by this profound lawyer, for subjecting the island to the authority of parliament whenever so named in an act, proves either nothing, or directly the reverse of his proposition. The act 33d Henry IV, c. 6, to which he refers, and upon which he relies, respects short guns, cross bows, and other weapons, which it prohibits to be used. Guernsey is nowhere mentioned in the enactment; but at the conclusion there is a proviso, *that nothing therein contained shall extend to Guernsey or Jersey*. Yet upon this bare dictum has every English lawyer relied, from Sir John Trevor downwards, in the teeth both of principle and of opposite authorities, when contending for the right of parliament to legislate for the islands. The point, however, has been so often debated during the last forty years, and the Royal Court has, in so many instances, adopted and enforced the provisions of acts of parliament in which the island happened to be named, that to contest it again would be the height of obstinacy.

Every act of parliament, affecting the island, must be transmitted.—In point of fact, no act of parliament has ever been enforced, unless it had been so

* “These two islands (i.e. Guernsey and Jersey) are the despair of France at the breaking out of each war, through their remarkably active privateers, which always commence by capturing a great number of vessels, and destroying all communication and commerce between the Channel ports, before France can adopt any precautionary measures to protect her coasting marine by vessels of war. The habit of encountering the dangers of the sea renders the natives fearlessly brave; they have well disciplined regiments of militia, excellent marksmen, and who alone are capable of repulsing any enemy who might descend on their shores. Animated by a true sense of their own interest, their attachment to the English Government is devotedly loyal. Good neighbours during peace, closely united by the contraband trade, which enriches them, with the inhabitants of the neighbouring coasts of Normandy and Brittany, they become formidable enemies when war is declared, or rather, they are always in a state of warfare, now against the custom house officers of the two kingdoms, now against the French commercial marine. A population of this character greatly enhances the natural strength of these islands.”—Ed.

transmitted. An attempt was made in 1823, but it failed.* Unrepresented as we are in parliament, how can it be otherwise? Acts, in which Guernsey was named, have remained unknown to us for more than a century.† In point of law, this question was set at rest by the following Orders in Council:—First, an order, dated May 1, 1696, sending the act 12 Charles II, c. 23 and 24, which states, that having understood that the above act was not then observed, they sent it to the Court, desiring that it might be registered, and enforced in future. Secondly, an order in council, dated 1st of July, 1731, by which it is ordered that all acts relating to Guernsey shall henceforth be transmitted by the clerk of Council for registry.‡ And, lastly, the Jersey Code, sanctioned by Council, which states that “all letters and warrants shall be transmitted and registered before they are executed; but that all acts of parliament, relative to Jersey, shall be transmitted for registry.” The transmission of an act of parliament, therefore, alone suffices, whilst for “letters or warrants” the transmission and registry are required. And this is the distinction. An Order or Letter of Council, the Court may suspend the registering of, and remonstrate against. This has been repeatedly done, and they have been invariably heard, and have sometimes obtained redress. Whereas an act of parliament must be immediately executed when sent. To suspend the registry, and remonstrate against it to Council, would be ridiculous, since the Council cannot afford redress, even if it were so disposed. Petitions of this description have, therefore, been usually rejected. After, indeed, an act has been duly registered and executed, the local authorities may complain of its enactments, and obtain the assistance of Council in getting it repealed. But, in the meanwhile, it must be registered and executed.

Provided it does not extend to the levying of taxes upon the island.—This would be reviving the American question of taxation without representation, with this difference in our favour, that our rights flow from a source wholly different from those of the British colonies. The rights and privileges of the Norman Isles were neither granted after conquest, nor to promote colonisation. Our charters are neither acts of grace and pardon, nor boons of encouragement. The small islands of Guernsey and Jersey acknowledge a British sovereign, as part of the duchy of Normandy,—the only part which remained faithful to the English crown. They have not all the extent or strength of the ancient duchy, but they possess, and are certainly entitled to possess, all its rights. The principle of *virtual* representation can, therefore, no more extend to them than it could to Scotland before the union, and much less than it could to Ireland. To tax the islands, therefore, without their consent, would be an abuse of power without a colour of right,—an act of pure despotism. Indeed, Guernsey, even when united to Normandy, was exempted from the payment of any aids, tallage, or other kinds of taxation, except for its own defence, by virtue of a special treaty—the “*Aide le Roi*,”—which was, by agreement with William the Conqueror, granted him, in lieu of every other kind of subsidy, and is so paid to this day.§ Only, then, upon the principle of protecting the general interests of the empire, can the power of parliament be exercised in any case, with regard to the Norman Isles. The whole of the king’s dominions are united by the same interests; the strength of one part may be the salvation of the whole. It can never, therefore, be the intention, still less the duty, of one portion of the empire to injure the other. If, therefore, any trade or commerce is carried on in the smaller state which is prejudicial to the larger, the insular legislature is bound to suppress it; and if it refuse to do so, it becomes necessary for the sovereign power of the parent state to interfere. For this reason has the British Parliament included these islands in all acts passed

* The King *versus* Rogerie, June, 1823.

† East India Trade Act, passed in 1731, transmitted in 1823.

‡ Before this period, an Order in Council was, each time, evidently necessary; but as that caused delay, it was ordered that the clerk’s transmitting it, and signifying at the same time His Majesty’s pleasure that it should be executed, would be sufficient.

§ Vide Extent of Edward III.

for the protection of the revenue, as well as in all navigation laws. Of this the islanders have no right to complain: for, participating in the advantages of British shipping, they cannot, in fairness, find fault if they are subjected to its rules. Beyond this, parliament itself has not exercised any power; but it is by no means so clear that the Royal Court of Guernsey has not, in wishing to carry into effect the principles of acts of parliament, adopted without necessity, and followed to the letter, many clauses which were intended to apply but to the mother country.

An attempt was made by Berry, to prove, from Riley, that parliament had, from time immemorial, interfered in our insular affairs. But Riley, or rather Berry for him, evidently confounded the council, where sat Norman, as well as English barons, with the exclusive parliaments of England. The cases in which Guernsey is mentioned in Riley will alone prove this fact. The first is 38rd Edward I.* *The order of receiving petitions.* "It was ordered by the king that Sir G. de Roubry, and others, should receive the petitions of all who wished to deliver petitions in the *parliament* at Westminster." This was proclaimed at Westminster, Guildhall, and Westcheap. "Then the king appointed Sir William Inge and others to receive all petitions from Scotland. Then he assigned the bishop of Chester, and others, to receive all that came from the people of Gascony, which can be answered without the king; and, lastly, he assigned Sir John of Berwick, and others, to receive all the petitions from Ireland and the *isle of Guernsey*, and to answer all those that can be answered without the king. And all the petitions relative to the said lands of Scotland, Gascony, Ireland, and Guernsey, as aforesaid, were delivered to those pointed out by the above." This, instead of proving against the island, is clearly and pointedly favourable to it. The petitions from England are first mentioned, —proclamation is duly made of them,—they are made to *parliament*, and left with it. Then the petitions from Scotland, Gascony, Ireland and Guernsey, being all classed together, as not subject to parliament, are received by a committee who are directed to answer them, except in such cases as the king reserves, not for *parliament*, but for *himself*. This is then nothing more than a committee of the king's own council for the affairs of Guernsey, Scotland, Gascony and Ireland, similar to the present committees of Council for the affairs of Guernsey, Jersey, and the Colonies.

The next is a return from Council, 23d Edward I, containing a complaint for wines seized, as also several applications for livings, and others for services; and, among others, an order made, upon complaint of several inhabitants, by which the lieutenant-governor and bailiff are ordered to appear in person before the king, in his next parliament, to answer these complaints and receive judgment of the Court. The heading of these complaints is:—"A brief of the petitions of the men of Jersey and Guernsey, returned from the Council in Autumn of the 23d of the King." How any dispassionate inquirer could dream of attributing from this any authority to parliament, it would be difficult to conceive. Several inhabitants apply to Council; some for favors, others with complaints. Part of the applications are disposed of at once,—the rest are referred to the next period when the court or council will meet,—which was invariably the time of *holding the parliaments*, and it is ordered they shall there await the judgment—of whom?—Of parliament?—No—but of the King's Court,—of the Privy Council. If any doubt could exist upon the interpretation of the words, "in our next parliament," it would be elucidated by another case, given also in Riley: "Alicia de la Chapelle, of the island of Guernsey, prayed grace and pardon of the king's mercy, for having stolen thirty-five sheaves of wheat, being the king's champart, for which she took sanctuary, and afterwards abjured." The answer at the back is,—*"Let her have mercy. Let the bailiff certify the manner and cause, and if it be as stated, the king grants her petition."* Then comes the order to the bailiff "to certify clearly and distinctly, that we may be assured thereof in our next parliament to be held at Westminster, at Michaelmas. Witness myself, &c." And under this are the words:

* Riley, p. 240.

"By petition from *Council*." It cannot here be intended that parliament should grant the pardon,—for it is granted already. Parliament is mentioned to point out the period: "at the time of holding the next parliament,"—as in the complaint of the dean for interference in ecclesiastical matters, which precedes the foregoing by a few lines, where the same words are found.

The king conferred advowsons, tried criminals, and granted pardons. These were his prerogatives, independently of the authority of parliament. But it was necessary to fix a time within which, in cases of doubt, he was to be answered, and this was the time when all public business was gone through—the time "of holding parliaments." The discussion of the cases cited in Riley, therefore, not only disproves the affirmative, but settles the point that parliament did not interfere. It does away with the pretended exercise of authority by parliament, and establishes, from the remotest period, the authority of council. This brings us to the second legislative authority.

THE KING IN COUNCIL.

His Majesty in Council, as above proved, has ever possessed the supreme appellate jurisdiction, and legislative power, over these islands. The powers exercised by the dukes of Normandy are vested in the king of England. Strictly to limit the bounds of sovereignty, is impossible. Still, however, there are cases of exception in which both the dukes of Normandy and kings of England were bound to consult the will of their subjects, as expressed by their representatives. His Majesty is not therefore possessed of that absolute sovereign power, in the sense of the law of England, as vested in the three estates of parliament. This check upon the right of the crown, in most cases unlimited, is sanctioned by an order in council, which distinctly shows the opinion entertained by the lords of council respecting their own authority. An application was made by the country parishes of Guernsey to his Majesty in Council, in 1756, to alter the States' rate, which was, and still is, manifestly unjust; and another prayer was added that, with a change of the rate, there should be a change of representation, which also appeared reasonable. This the States had not fully sanctioned, and it was referred by order to his Majesty's attorney and solicitor general, for their opinion "Whether his Majesty had the right to make an alteration in the representation of the States?" The case was not carried further. But as the first lawyers of England belong to the Council Board, this order of reference proves that they entertained strong doubts upon the subject; and, in principle, it is pretty clear that such an alteration never could take place without the consent of the States.

The next, and perhaps the only, additional case in which the power of the crown is limited, is in questions of raising money. All the ancient nations of Europe were exceedingly jealous of this privilege, and even the French "*Etats*" could not impose taxes without the consent of their constituents. In Guernsey, this power is possessed by the States, with the sanction of his Majesty in Council. The application of the established revenue is, or ought to be, solely in the States. The increasing of it by additional taxation requires their vote, and his Majesty's sanction. This brings us to the third legislative power.

THE STATES.

The States are of two kinds,—the *Administrative States* and the *Elective States*.

The **ADMINISTRATIVE STATES** are composed of:—

The Bailiff and twelve Jurats.....	13
Rectors of parishes.....	8
King's Procureur.....	1
One Constable from each parish.....	10

This body, which is properly a general council of the island, wherein every inhabitant is supposed to be represented, and which is, or ought to

be, the sole legislative authority within the island, cannot, in its present form, be traced further back than 1605, when the inhabitants petitioned King James to "re-establish the ancient States of the isle."* That a similar body had previously existed, is apparent from the language of the order. It is by no means improbable that the Court had for a time done effectually, what they have since made rapid strides towards obtaining—secured the greatest part of the power to themselves.

That the States are not that independent body they used to be, will shortly be made apparent.

The States are at present convened by a written notice of convocation, issued by the Bailiff and communicated to every member of the body. This notice not only lays down in the most explicit and limited terms the subjects of deliberation, and the very propositions upon which the meeting is to decide, but it generally contains a discussion of those subjects and propositions by the Bailiff, in which, of course, he advocates his own particular views. No amendment, it is understood, can be proposed; the members, consequently, are bound simply to adopt or reject. And the better to fetter the public voice, the Constables are not to give their own vote, but that of their several douzaines, or parish committees, who have had to meet, each by itself, to take the subjects and propositions into consideration, with only the arguments of the Bailiff before them. So that, as far as regards the people, the meeting is not, and indeed never can be, a meeting for deliberation. The Court and the Clergy may deliberate,—they may, after hearing the subjects under consideration fairly discussed, either modify or reject their previously-conceived opinions; but the representatives of the people—of those who bear the public burthens—cannot deliberate. They must simply deliver in the vote of their douzaine. Nay, even though it should appear to them, from the arguments elicited during the discussion, that their committee, or douzaine, had come to its decision through erroneous or misconceived notions, they can neither withhold nor modify that vote.

This system is, by the admirers of things as they are, regarded as unobjectionable,—and, if not unobjectionable, at all events most convenient. The States are no longer a check upon the power of the Court. Convened at the will of their President,†—tied down to the subjects which he has pointed out,—compelled simply to adopt or reject the propositions which he submits to them,—and constituted in such a manner that the Court and Rectors, who are neither representatives nor responsible members, have twenty-two out of thirty-two votes, they have, as might have been expected, become of little use but to nod approbation of the conduct of their committees, to congratulate princes on the occurrence of happy events, to condole with them in misfortune, and to present, on fitting occasions, staunch loyal addresses.

As these are strong assertions, and proof of their correctness may be required, that proof shall be given. It is now, virtually at least, admitted that the States have not the right to pass ordinances for general purposes,—that they can neither regulate the police nor make general laws. This principle indeed is carried to so absurd a length, even in questions of revenue, that although the States may vote a tax, or impose a duty, yet they cannot enforce their vote; but must apply to the Royal Court—to a sec-

* "Furthermore where it is desired that the auintient use and authoritie of assembling the States of the island for ordering the principal affairs thereof maye be re-established,—This request seemeth reasonable and according to the auintient custome of the said isle thought meete to be granted." Order in Council, 6th June, 1606.

† The late Bailiff refused to convene the States for the purpose of submitting to them a proposition which had been forwarded to him by the representatives of all the country parishes, the object of which was to impose an extra duty on French vessels arriving here. The proposition was both illiberal and absurd; but that was no reason for the Bailiff's refusing to allow the States to take it into consideration. To allow the Bailiff, as president of the States, to judge of the expediency of submitting, or not submitting, certain matters to the States, is, in point of fact, to invest him with the power which can belong but to that body alone,—and to enable him to adopt, with full force of propriety, the language attributed to a French monarch: "L'Etat c'est moi." It is, however, but an act of bare justice to the present Bailiff, Daniel De Lisle Brock, Esq., to state that when, on his being shortly after appointed to the office of Chief Magistrate, the same request was made to him, he unhesitatingly submitted it to the States.

tion of their own body—for an ordinance to regulate the mode of levying the tax or raising the duty. Their functions at present are therefore pretty nearly limited to the voting away of the public money; for even the superintendence of public works is generally entrusted to Jurats of the Royal Court,—the majority of the States committees being almost invariably composed of these gentlemen. And as to the control over the public funds that may be supposed to arise from their voting them away, there glaring proofs of unauthorized expenditure on the part of their committees will suffice to show that such control is more nominal than real.

1.—On the 1st September, 1814, the States, with the sanction of the King in Council, commenced levying a duty of one shilling per gallon on spirituous liquors consumed in the island. This duty was granted for five years. The States debt amounted, when the duty was first imposed, to £12,000. The duty produced, during the five years, £13,376,—the usual revenue of the States produced £9,083,—and they added to their debt during the five years £8,000,—making a total expenditure of £30,459. How much ought they to have voted?

The total expenditure, as above, was.....	£30,459
Deduct the interest of the original debt for five years, and ordinary expenses.....	} £5,000
Deduct sea defences previously voted.....	6,792
	<hr/> 11,792
And the States voted, during the five years.....	10,672
	<hr/> 22,464

There remains a difference, spent but not voted, of..... £7,996

2.—On the 23d June, 1821, the States appointed a committee to make improvements and additions to the Court House, with permission to lay out £300 on this object. The committee proceeded to the execution of its task, and, without further leave or sanction, spent £2,058, or *nearly seven times the sum voted*. Yet this conduct was approved of by a States deliberation of the 25th April, 1823,—all the members of the Court save one, *including the members of the committee themselves*, voting on this occasion against most of the Rectors and Constables in favour of a proposition, the object of which was to confirm the payment of the greater part of the expense already made by the States' Treasurer under the guarantee of the Court, and to authorize him to pay the remainder.

3.—The States resolved, in March, 1826, to re-organize Elizabeth College, and in order to do so in a most effectual manner, voted no less than £8,600 for the erection of a suitable building; also, £700 for the current wants of the College, which was then held in a hired room, until the 1st of September, 1829, when the term of the present impost was to commence: a similar sum of £700 for the current wants of the parochial schools until that date, 1st September, 1829; and a credit of £734 per annum, during the fifteen years of the present impost, as a *fund of reserve*, to meet the future wants of the College and of the parochial schools, at least one-third of which credit, on £241 : 16 : 8 per annum, was to be applied to the use of the latter. The Directors, a few months afterwards, finding the sum of £8,600 insufficient to erect a College on the extravagant scale they had prepared, made a fresh application to the States for an additional grant of £2095. They succeeded in obtaining it; and, as if the abuse of delegated authority was in Guernsey, a matter of course—a thing of daily occurrence—a rule and not an exception—in short, a line of conduct so universally followed that every deviation from it was to be regarded as a proof of extraordinary virtue,—the Directors were actually lauded for the good faith they had evinced in thus submitting the matter to the States, instead of proceeding in the work without further authority, and were declared to have shown themselves most worthy of the confidence which the States had reposed in them. The Directors being thus specially authorized to spend £2,095 in addition to the £8,600 already voted,

proceeded with the work entrusted to them; but, instead of restricting their expenditure to the vote of the States just mentioned, they exceeded it by a sum equal to the reserved annual grant of £734 for ten years,—that is, they spent £7340 more than the States had authorised them to do. They then, early in 1835, presented themselves before the constituent body, whose agents they were, and instead of frankly acknowledging they had disposed of a future reserved fund, of which one-third, or £244 : 16 : 8 per annum, belonged to the parochial schools, they stated that a sum of £420 per annum was required for the next ten years, of which £235 would be for the parochial schools; and this modest demand they requested the States to decide upon,—that is, the question whether the parish schools should have £235 per annum was, in 1835, to be deliberated upon, and of course to run the risk of being negatived, although the States had, so far back as 1826, actually voted those schools a grant of £244 : 16 : 8 per annum for fifteen years, to commence from 1829, and of which, consequently, only five years had elapsed. This, in plain terms, was the case. The money voted prospectively for the parochial schools had, without authority from the States, been applied by the Directors to other purposes; and the single question put by the Directors was, not whether their misappropriation should be sanctioned or censured—the sanction they assumed as a thing of course—but whether the parochial schools were, or were not, to be provided for by another grant! One would have supposed that the putting of the question in this shape would have been regarded by the members, and especially by the representatives of the country parishes—the improvement of whose schools was thus placed in jeopardy—as the adding of insult to misappropriation. This, however, was not the case. With the exception of the Rector of St. Pierre-du-Bois, and one or two other members, who reprobated the extravagant and unauthorised expense of the Directors, the matter excited but little discussion the members voting for, or against, the proposition, just as though the grant to the schools had never been voted, thus making it a question whether they should, or should not, be assisted; and it is an absolute fact, that the representatives of *seven out of the nine country parishes*—evidently from the Douzaines not having had a clear conception of the nature of the demand when they separately met to instruct their Constables how to vote—*actually voted against the proposition*; they voted in such a manner that, had they been in the majority, their own parochial schools would have been, for the ensuing ten years, deprived of a grant of £244 per annum, which the States had voted them in 1826.

It cannot for a moment be supposed that any part of the difference between the sums voted and the sums spent was, in either of the foregoing cases, withdrawn from the public service. No such thing,—every farthing of it was, beyond doubt, spent in public works,—probably in works of essential necessity,—certainly in improvements. But that is not the point at issue. It is solely intended to prove, and these facts prove beyond the possibility of debate, that the people, who after all have to bear the public burthens, are not properly represented in the States, and that their representatives, the Constables, might as well, as to any service they are of in controlling the management of the States revenue, quietly remain at home, and not trouble themselves about attending to public affairs.

That they were not formerly thus absurdly limited is certain,—and on examining the proceedings of the States, as extracted from the records of their deliberations, the gradual nature of the encroachments on their rights, will appear evident. The States were re-established for “ordering the principal affairs of the isle,” (1) and for many years they did order them. They possessed the supreme legislative power within the isle (2),—they received petitions and decided upon them (3),—altered the rate of contribution of the parishes (4),—limited the importation and exportation of

(1) Order in Council, 1665.

(2) The Court in Chief Pleas continued to make bye-laws or police regulations.

(3) 7th October, 1644.

(4) 15th February, 1607.

corn (1).—reinstated Jurats who had been suspended by their colleagues (2).—taxed the fees of the Court (3).—and, on one occasion, went so far as to order its sittings to be suspended for a specified period. They entertained and discussed questions of privilege, submitted new propositions, decided upon complaints of police, and debated and determined them. The Constables were as free as the remaining members, consulting their constituents only at pleasure. That they were not constrained, as at present, appears from the wording of the old oath :—

“Item, with regard to the duties expected from you at the meetings of the said States, you promise that you will diligently assist thereat whenever summoned so to do, and that you will faithfully and conscientiously give *vous conseil, opinion, and advice*, on all matters submitted to you, without respect of persons or partiality, having regard only to the glory of God, the honor of your prince, and the welfare and public utility of this state,”—

which has been softened down to :—

“As to your duty as a member of the States you will diligently assist at their meetings whenever summoned to do so, giving your own counsel and advice, and reporting that of your parish, the whole faithfully, &c.”—

which shows pretty clearly that although a Constable may be free in giving his own *counsel and advice*, yet is he constrained as to the *vote*, which must be in fact that of his parish,—that of persons who may have discussed the question at issue in the dark.

Having shown the extent of their power, it may not be amiss to trace the gradations by which they have arrived at their present state.

The first step was taken by the Commissioners sent over by king James, who, no doubt undesignedly, and without duly weighing the effects of their regulation, strengthened the hands of the Court, the only rival power of the States. The States, when these Commissioners visited the islands, had been re-established but two years. There were naturally many disputes about the right of voting and representation. Among the petitions of St. Peter-Port, “for the general good of the isle,” was one by which the inhabitants of that parish prayed “that an order be made for the formal composition of the three general estates of the isle.—what number of persons, and what calling and quality,—the manner of their election, and admission into that company, and what shall be the authority of the said company in general.” The answer to which was the following.—“Upon conference held *with the Bailiff and Justices*, we find no such difficulty in the ordering and comparing of all the estates of the isle, but that the Bailiff and Jurats, according to their ancient customs, may order the same as shall be needful. And therefore we refer the contents of this article to their discretion.” The consequence has been—whether a legitimate or necessary one may certainly admit of doubt—that all questions of privilege, or that relate to internal arrangements, as whether a member has incurred a fine for attending late, the sufficiency of the excuse for non-attendance, and others more important, are decided by the Court alone—by a fraction of the body—in presence of the remaining members, who have no vote in the matters thus incidentally brought under consideration.

The next step arose from the inability of some of the parishes to send competent persons as Constables to represent them in the States,—which is thus complained of in the article quoted above : “Whereas also, the persons which stand for the Commons in that assembly have been, since the restoring of the said estates, within these three years, as of necessity taken equally out of every parish in the isle, whereby it is come to pass that most of them have been, and are yet, altogether unfit, many parishes not being able to afford others,—the insufficiency of which persons may turn to the extreme hurt of the whole isle. Their humble request is, that hereafter the persons which shall be appointed for the third estate or commons, be chosen indifferently upon all the isle, of the most sufficient, without respect of their dwelling, in the same manner as the Jurats shall be chosen.” In 1605, the Court had ordered each parish to name two deputies as “*Connetables d’Etat*,” Constables specially named to attend the States meetings, and

(1) 23d October, 1606; 16th January, 1730; 16th May, 1739; 23d December, 1749.

(2) 14th November, 1654.

(3) 20th February, 1607.

apparently appointed for no other purpose. Several parishes being unable to find, within their own limits, fit persons to hold so important a situation, the inconvenience was complained of by the inhabitants of St. Peter-Port, who prayed that these parish representatives, these commoners, might be chosen indifferently from all the island without respect of residence. This, however, being submitted to the Court, was rejected. Some time after, the "*Commissaires d'Etat*" were at their own request discharged, and it does not appear the office was ever after revived. The ordinary Constables became the parish representatives, and that one of them might be capable of discharging this important duty, the senior Douzenier, or senior member of the permanent parish committee called *Douzaine*, was, for a number of years, usually appointed one of the Constables. This officer, on important occasions, naturally required the opinions of his colleagues, the other Douzeniers; and, occasionally, the debates at the States' meetings were postponed, that some of them might be in attendance to give their advice. This practice having once gained ground, it became customary for them all to attend the States meetings. Usage soon became a law,—and they were at length fined for non-attendance.* The inconvenience and confusion arising from bringing one hundred and fifty-two persons to give counsel at an assembly where only ten could vote, may be well conceived. To remedy this, it therefore became necessary to fix stated days of meeting, and on emergencies to give notice of the subject to be brought under discussion. The States accordingly, in 1646, during the usurpation—at a time when the island was torn by faction, and when, therefore, emergencies frequently occurred—decided that they should meet at stated periods, and that they should be convened by a *billet*, or summons, from the Chief Magistrate.† Here is evidently the origin of the present system. The Douzaines, being previously informed of the subject of discussion, could easily advise with their Constables, and were saved the trouble of attending,—whilst the Constable, knowing the general sentiments of his Douzaine, was still at liberty to act upon his own responsibility. It accordingly happened, that from this period the Douzainiers seldom, if ever, attended. But the Chief Magistrate, being also at liberty to convene the States upon a given subject, it soon followed that they could not extend their deliberations beyond it; and the Court, who met at all periods, and had always possessed the power of making laws at their Chief Pleas meetings, soon assumed the whole legislative authority. Still, however, the States moved amendments, received protests, and adjourned their meetings. The power, or rather the practice, of doing this was, however, gradually lost, and the States became what they are at the present day, a mere phantom of power.

In Jersey—whatever advantages we may in other respects possess over them—the respective powers of the States and Court are much more clearly defined. There, the States are the sole legislative body,—the functions of the Court being purely judicial. The President is obliged to convene them, and the Governor to consent to the meeting, whenever so required by the Jurats.‡ The States may postpone their meeting to another special day, but they then have authority to take into consideration the particular matters alone so adjourned, and no other, without the unanimous concurrence of the assembly.§ In Jersey too, every member has a right to make any motion he pleases,—provided it is written down in the form in which it is to be passed, and lodged at the Greffe, or Record office, for fourteen days before it be deliberated upon. The Constables are to consult their constituents, only when they judge it necessary. Every law of the States is binding for three years, within which period it must receive the sanction of His Majesty in Council, or it falls to the ground.

The meetings of the States, at Guernsey, are open, whilst at Jersey they, until lately, were wholly closed. That the meetings of the Guernsey States were originally held within closed doors, and regarded as secret, is evident

* 22nd January, 1644.

† States Meeting, 2nd January, 1646.

‡ Order in Council, 1756.

§ Order in Council, 8th August, 1737.

from the following words in the oath administered to the Constables : " Quant à votre devoir particulier en qualité de membre des Etats, entre lesquels vous êtes reçu et admis, vous serez diligent à y assister, * * * *gardant secrettes les choses qui y seront traitées jusques à ce que par consent général soit permis de les révéler.*" Although the practice of holding closed meetings has long ceased, it would appear from the fact of the oath remaining unaltered to this day, as well as from the absence of any record, authorising a change,—that the meetings of the Guernsey States are open rather by sufferance than by right.

The ELECTIVE STATES, or rather the electoral body, are composed of :—

The Bailiff and twelve Jurats of the Royal Court.....	13
Rectors of Parishes.....	8
The King's Procureur or Attorney General.....	1
Two Constables from each Parish.....	20
Twenty Douzeniers from St. Peter Port.....	20
Sixteen do. from the Vale Parish.....	16
Twelve from each of the remaining eight Parishes.....	96

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This body is assembled only to elect Jurats and the King's Sheriff.

The Elective States were reduced to their present form at the commencement of the seventeenth century. Previously to that time, the Jurats and the King's Sheriff were elected by all persons paying rates,—the Constables of each parish collecting their votes at the church door at the close of divine service, on the Sunday appointed for the election. An inspection of the public records will show that Jurats were thus elected in the years 1553, 1564, 1573, and 1578.

According to what are called in these islands the *Constitutions of King John*, or the deed under which the Royal Courts of Guernsey and Jersey were constituted, these elections were to be made "*per ministros domini regis, et optimates patriæ*,"—"by the king's servants and the heads of the people." This vague definition, which was generally interpreted to mean the members of the Court, and all persons assessed to the public rates, produced numberless disputes,—and upon the application of the parish of St. Peter-Port to the royal commissioners sent here by King James, for one-third of the votes, in proportion to their assessments, it was ordered that all elections of Jurats and the Sheriff should be made by the Bailiff, Jurats, Constables, and Douzeniers.* Not a word is said in the order respecting the rectors; but from the great similarity of the elective body to what the Administrative States† then were—a similarity that would have been perfect in every respect had the Rectors formed part of the elective body—it may be presumed that occasionally it was convened simultaneously with the States, and that, in process of time, the Rectors, who of course were present at the States meetings, were allowed to have a vote in the elections. Probably too, from this circumstance, the body of electors came afterwards to be called, as at present, THE STATES.

That the elections of Jurats are not so popular as they were previously to the change just referred to, and as they still are at Jersey, where every person paying rates has a right of voting, is perhaps an advantage in favour of Guernsey. It is one thing to elect a member of a legislative assembly, for instance a Constable, to represent during two or three years a parish at States meetings,—it is quite another to elect a judge for life. In the former case, the individual may be elected in reference to his views on the particular questions likely to be agitated in the legislature during his administration,—in the latter, regard must specially be had to his general character, to his probity and impartiality, to his talents and acquirements. In the former case, again, if the representative fail to give satisfaction to his constituents, an opportunity soon offers for his removal; but a judge incom-

* Report of Commissioners, 1607.

† It has been shown that all the Douzainiers attended the meeting of the Administrative States.

petent to discharge the important duties of his office, or in other respects failing to give satisfaction, can never be removed. Though, therefore, popular feeling may be allowed to have a voice in the election of a legislator, it by no means follows it ought to exercise such influence in that of a judge. Popular elections also, besides throwing the public mind into a ferment, are extremely uncertain in their results. In times of tranquillity, the candidates chosen may be those whose qualifications best entitle them to the vacant office; but when the minds of men are inflamed by political dissensions, this influence often yields to more impetuous motives. And, after all, the elections of Jurats in Guernsey are still, in a very eminent degree, popular; for the douzainiers, who compose the bulk of the electors, whilst occupying a rank in life which places them beyond the influence of threats or promises, are still so connected with the mass of the population by a community of interests and passions, that their will may well be regarded as the will of the people. An extension of the electoral body, which would give a greater number of votes to the people, and particularly to the town, might however most beneficially be effected.

THE ROYAL COURT.

The Court are now to be treated of as a legislative body. The Court of Chief Pleas have always possessed the power to frame bye laws and police regulations; but it was not originally possessed by them alone. That Court now exercise, alone, a supreme legislative and administrative power within the island. The imposing of taxes excepted, it would indeed be difficult to name an act of legislation which they have not passed. It was remarked by Warburton,* one hundred and fifty years ago, that the ordinances of the Court were but provisional regulations, and not esteemed laws unless confirmed by the Sovereign, and that they had then obtained a "greater allowance of authority than they ought to have." This "allowance of authority" has gone on increasing ever since. Formerly, the ordinances of the Court lasted, it would appear, but three years. It is now impossible to know the time they are supposed to last; for whilst it is admitted as a principle that they may fall into desuetude, still no definite term beyond which, if not acted upon, they are to be regarded as virtually abrogated, is any where specified.

The Royal Court, as already stated, did not anciently possess or exercise, as they do at present, the sole legislative power at the Chief Pleas. The Chief Pleas, as will presently appear, were, in point of fact, nothing less than the States of the island.

When Guernsey was a dependence of Normandy, each fief had its court; and once a year a General Court was held by the Bailiff and four Knights, two of whom, with the Bailiff, resided in the island,—the others coming from Normandy. The place of meeting was in the Vale parish, at a place then, and still, called "*Les Landes du Marché*," where the public market was held,—and afterwards at St. Anne's, near the King's Mills, in the Câtél parish. At these assizes, the ancient laws were proclaimed, and new regulations made in presence, and by the advice, of the military and other tenants. These regulations had force of law as soon as enacted, but political ordinances of importance were regarded but as provisional until they had received the assent of the duke.

After the separation of the islands from the duchy of Normandy, King John appointed twelve Jurats to replace the Knights. They, with the Bailiff, the tenants in *capite*, and other principal inhabitants representing the community, continued to hold pleas and pass provisional ordinances three times a year. An abstract from the Tally office, formerly in the possession of Mr. Thomas Le Marchant, giving an account of a Court of Chief Pleas, held in Guernsey, in the twenty-fifth year of Edward the First, names the following members as composing it:—The Governor, the Bailiff, the Magistrates, (now called Jurats,) the Prevôt or Sheriff, the Sergeant, the Bor-

* Warburton, p. 77.

diers, the free tenants, and a great number of other persons styled *Jurats*,* from the various parishes, of whom two from each parish were styled Jurats electors. Here are evidently,—“the *ministri domini regis*,” or servants of the king, and secondly, “the *optimates patriæ*,” or heads of the people, mentioned in the constitution of King John as authorised to elect the magistrates. Here, too, are the “auntient three estates of the isle for ordering the principal affairs thereof,” which it was King James’s intention to re-establish. The persons at present convened at the Chief Pleas meetings are :—

The Bailiff,—the Governor,—the Jurats of the Court,—the Crown Officers,—the Tenants “in capite,” or lords of fiefs,—the Bordiers,—the Constables of the various parishes,—the Advocates.† Of these the Bailiff and Jurats now alone exercise the power to make ordinances. The Governor, for whom the Sheriff is always sent by the Court, but who does not attend, has a deliberative voice, but no vote. The King’s Procureur, or Comptroller, submits the matters to be taken into consideration. The constables and advocates attend merely, it is supposed, that they may be informed of such changes as may be made in the laws.

The representatives of the spiritual and temporal lords, though pompously proclaimed at every sitting, as, for instance, the Bishop of Winchester, (who stands in the place of the Bishop of Coutances,) the Abbot of Mount Saint Michael, the Abbot of Blanchelande, the Abbot of Saint Geoffrey’s Cross, the Lord of Anneville, the Lord of Saumarez, and others, who all sat, as originally in England, by virtue of their tenures,—these, as well as the Bordiers, one of whom goes by the singular cognomen of *Fantôme*, or Phantom, (which would admirably apply to the whole body of lords and bordiers,) attend apparently for no earthly purpose whatever, unless indeed it be for that of affording—like the ghosts or *phantoms* of things that were—a perpetual memorial of the constitution of the ancient States, now merged into the Court of Chief Pleas. At what time the Bailiff and Jurats obtained, or assumed, the whole authority, does not appear. The *Jurats*, or Douzeniers, had ceased to attend before the records, which are extant, commenced. The Governor’s authority continued much longer. Our old ordinances are frequently stated to have been passed “du consentement du Capitaine,”‡ and one of them, for the punishment of blasphemy, says “du consentement du Capitaine et assent du Doyen,”—thus pointing out that, in some cases, the Governor’s sanction was essential, and that in others they required the Dean’s assent.

The “*Approbation des Lois*,” confirmed by Queen Elizabeth in 1583, about twenty years before the States were re-established on their present constitution, has the following remark : “Nous n’avons accoutumé en cette isle, d’avoir gens de trois estats ; mais toutes les affaires politiques se font par l’avis du Gouverneur, Baillif et Jurez de la Cour Royale, après avoir, par les Connétables, connu le vouloir de la généralité du peuple.” From which it would appear that the Court, by whom the “*Approbation des Lois*” was compiled, already claimed the right of exercising, along with the Governor, the whole legislative power,—that they had somehow contrived to get rid of the Clergy and Douzeniers,—and that they denied to the Constables—to the representatives of the people—all other right except that of a deliberative voice. This usurpation, coupled with their denial of the existence of the “three estates” of Magistrates, Clergy, and Douzeniers, was, some time after, severely commented upon by the Rev. Thomas Le Marchant, in his “*Remarques et Animadversions sur l’Approbation des Lois*,” a work published, or rather printed, a few years since, in two volumes octavo, at the expense of the Court. The stringent remarks of the author on this subject being worthy of a wider circulation than they are likely to obtain whilst confined to his work, are here subjoined :—

“Par la constitution ancienne et moderne du Duché de la Normandie, dont la dite isle étoit autrefois partie, et par celle du royaume d’Angleterre, auquel la

* These Mr. Le Marchant supposed to have represented our Douzeniers,—who probably may have been little more than a permanent Grand Jury. The *Jurats electors* probably answered to our Constables, of whom there are two in each parish.

† Ordinance of April, 1619

‡ The Governor was then styled “Le Capitaine.”

dite île est à présent annexée plutôt qu'incorporée, et par la différence et distinction réelle qui se voit en la dite île entre ces trois estats de personnes, les magistrats, les ministres, et le peuple, c'est chose toute notoire qu'il y'a, et qu'il y'a en d'ancienneté en effet, gens de trois estats en cette île là, combien que ces auteurs de l'approbation le semble ignorer, ou même le nier tout ouvertement. C'est aussi de quoi on verra manifestement les traces dans l'Etente et le Précepte d'Assize, là où lorsqu'il a été question d'affaires qui étoient de telle importance qu'elles touchoient la police de l'île, comme les droits du Prince et de l'office des magistrats, cela s'est fait par l'enquête et rapport des notables du peuple, avec le consentement et en présence des magistrats et du clergé. De quoi aussi, non-obstant ce que dit ici l'approbation, sont depuis demeurées des vestiges notables en l'élection des Jurés et du Prévost du Roi par les personnes des dits trois estats, qui est une affaire politique, et d'autant de conséquence qu'aucun autre. Mais ces auteurs de l'approbation ayant rejeté les deux autres estats, se sont acquis une dictature perpétuelle, par laquelle ils ménagent à leur poste les privilèges, déposent des deniers publics, et imposent des taxes sur les habitans quand bon leur semble. Et quant au vouloir ou consentement du peuple par la bouche des connétables, ce n'est plus qu'un ombre sans corps de la puissance ancienne des dits estats, la justice (that is to say, the Court) emportant à présent les affaires de haute lucte, les connétables n'osant ou ne gagnant rien de tergiverser, tellement que le plus souvent ils acquiescent à des choses dont la généralité du peuple n'a pas seulement entendu parler. Car aussi, lorsque les dits connétables sont mandés pour adviser à telles affaires politiques, on ne leur fait point communement savoir le sujet sur quoi on doit délibérer, pour prendre et recueillir l'opinion des habitans de leurs paroisses, et venir ensuite la déclarer en Cour; et si, se doutant, ou étant d'ailleurs informés du sujet pour lequel ils sont appelés à telles assemblées, qui s'appellent encore (mais abusivement) Estats, ils entreprennent de faire assembler chacun leurs paroisses respectives pour connoître le vouloir de la généralité du peuple, cela seroit interprété par les dits Bailiff et Jurés à sédition et émotion populaire; et néanmoins sans cela il leur est impossible d'en informer les Juges.

It will further appear by the following extract from this shrewd writer, that, according to the ancient constitution of the States, all questions relating to the imposition and distribution of public burthens, should be determined by the representatives of the people alone, and not by the Court and Clergy :

“ Aussi est-ce chose bien remarquable qui est couchée au septième article de ce chapitre (namely, the seventh chapter, book second, of Terrien's Commentary on the Customs of Normandy,) que dans telles assemblées des Etats (auxquelles l'approbation veut faire croire que le *pouvoir* du Gouverneur et Justice, avec l'opinion des Connétables, au nom de leurs paroisses, a succédé,) lorsqu'il s'agit d'affaires politiques, et principalement d'octroi de deniers, il est nécessaire que le tiers estat (c'est-à-dire ceux qui parlent au nom du peuple) donne son consentement touchant la quote part que chacun doit porter, sans que le reste de l'assemblée, quand même ils seroient en plus grand nombre que les autres, puissent rien conclure en cet égard,—ce qui n'est nullement observé en l'assemblée des dits Gouverneurs, Bailiff, Jurés et Connétables.”

The Clergy and Douzainiers having thus been ousted from the Chief Pleas meeting, and the Constables, who alone remained, having been restricted to the exercise of a mere deliberative voice, which they had to give without being allowed to consult the inhabitants, the pretence of wishing to ascertain the “*vouloir de la généralité*,” became little better than a farce, and being at last deemed unnecessary, the Constables themselves, as might have been expected, were dropped as a useless appendage, and the Bailiff, Governor, and Jurats henceforward assumed and exercised the sole legislative power in the Court of Chief Pleas. The ancient spiritual and lay lords were probably retained merely to render homage to the crown, or to give the meeting the appearance of a representative body; but the Constables never returned until so recently as 1802, when the Court issued an ordinance requiring their attendance, merely that they might be informed of such changes as were effected in the laws.

The States as now constituted appear, as already observed, to have been re-established under King James. From that period, therefore, until now, the island has exhibited the singular anomaly of possessing two legislative bodies—the States and the Court of Chief Pleas—acting independently

of each other; the smaller one, however, though neither a representative nor a responsible body,—though constituting one of the three sections of the larger one,—and though discharging judicial functions the most multifarious and diversified, and exercising by far the greater share of authority.

B—.

NOTES OF THE MONTH.

GUERNSEY.

THE spirit of reform has actively manifested itself last month in this island, and we now look forward with confidence to the extinction of those abuses which have gradually disfigured our institutions, and converted a popular constitution into an irresponsible oligarchy. If our estimable Bailiff would place himself at the head of the movement, and direct the changes imperatively required, by his experience and wisdom, he would crown his patriotism, and confer an everlasting blessing on his country. But, under any circumstance, it is now beyond doubt that reform must take place in our legislative, judicial, and administrative departments, and that on a scale commensurate with the grievances daily felt and deplored. It will be seen from the following documents what are the wishes of the town and country parishes, and, as matters proceed, we shall record in this Magazine all the official documents that may be framed for future reference.

"That they approve of the reasons, and adopt the principles, laid down in the deliberation of this parish, on the 24th November, 1812, namely,

"That the town parish contains more inhabitants than the nine country parishes collectively.

"That it is at present taxed about in the same proportion as it was then, that is to say, at more than two-thirds of the taxes of the whole island.

"That, if, on the one hand, it is not just that the country parishes should be liable to pay two-thirds of the States taxes, whilst the town pays but one-third,—on the other hand, it is not less unjust that the country parishes should have nine votes in the States of Election, whilst the town parish has but one vote in the former, and only twenty-two in the latter.

"That the said heads of families are therefore at present, as they were then, ready to assent to a change in the rates, to the effect that in future the inhabitants of the island, without distinction as to town or country, shall be rated in proportion to their means for the taxes of the States, provided that the representation in the States be in proportion to the population.

"That the town parish is, upon these principles, to have at least as many representatives in the States of Deliberation as the nine country parishes together, and a considerable augmentation of votes in the States of Election. And they have, moreover, deliberated that the time has arrived when it has become indispensably necessary that the constitution of the States should be reformed, and rendered more adapted to the wants of the age, and more analogous to the improvements that are being effected among almost every people.

"That it is contrary to reason, and inimical to public good, that the President of the States should possess or exercise an absolute initiative with regard to the subject proposed or submitted to the deliberation of the States.

"That it is reasonable and just that each member of the States should be at liberty to propose any amendment, or modification, to any proposition submitted to the deliberation of the meeting; that the representatives of the parishes should be in future less restricted by their Douzaines, so as to be at liberty to vote on the amendments proposed: and that every member be at liberty, at any sitting of the States, to signify his intention to submit a proposition for

deliberation at the next meeting, which proposition he shall present, that it may be deposited at the greffe, and a copy thereof given to each member, and such propositions shall form part of the ensuing *Billet d'Etat*.

"That the period of eight days, between the issuing of the *Billet* and the holding of the meeting, is not sufficiently long to enable the members to obtain the information they may require on the subjects contained in the *Billet*.

"That the States should be held periodically, and particularly in the month of April in each year, when a detailed statement of the finances should appear in the *Billet d'Etat*.

"That the number of parish representatives in the States of Deliberation is not in just proportion with that of the rectors.

"And the said heads of families have named for their committee—

—of whom shall form a quorum. Which committee is requested to invite the deputies appointed by the country parishes to a conference, so as to ascertain whether they are of opinion to concur with the town in the measures necessary to obtain a reform of the defects existing in our actual system, that they may co-operate together towards attaining this object. If, on the contrary, the deputies of the country parishes be not disposed to enter into any other questions besides those of the changes in the rates and the representation in the States, but are nevertheless disposed favourably to receive the pretensions of the town on this latter subject, the said committee will not insist upon the other points, but will, in conjunction with the country deputies, assist at a conference with the committee named by the States to communicate on the basis of their project.

"In the event of the country deputies refusing to allow the town the number of representatives which the said committee may deem just and reasonable, upon the principles above set forth, all further proceedings will be deemed unnecessary, and the said committee will not assist at any conference proposed with the committee of the States.

"And the said committee is moreover requested to make a report to the parish, for its approbation, of all and every project that may be of a nature to obtain general consent, before it be definitively submitted to the sanction of the States.

JOHN MOULLIN, } Constables.

THOMAS LINDOU, }

"St. Peter Port, 24th May, 1837."

The deputies of the nine country parishes, empowered to confer with the representatives of the town, on the measures of reform about to be introduced in our insular constitution, unanimously resolved to recommend the following propositions to their respective constituents:—

1.—That, for the future, States taxes should be levied on all the inhabitants of the island, without distinction of town or country, each individual being assessed in proportion to his means.

2.—That the town parish shall have as many votes in the Deliberative States as the nine country parishes united, and that in the Elective States they shall have an addition at least of twenty-two votes to the twenty-two votes they now possess; and that in the Deliberative States the town and country together shall have as many votes as those of the Court and Clergy united.

3.—To authorise the country deputies to co-operate with those of the town in such measures as may be necessary to obtain a reform of the abuses which disfigure the existing mode of government, on the principles laid down in the decision of the town, dated the 30th of May last.

General Militia Order.—Government-House, Guernsey, 2d June, 1837.—Major-General Sir James Douglas congratulates the Militia of Guernsey upon their late appearance under arms, and the island in general upon the ample means it possesses of bringing an efficient force into the field.

Having now seen and got acquainted with the different corps, the Lieutenant-Governor feels a lively interest in their welfare and improvement, and will lose no time in procuring for them those articles of equipment of which they still stand in need; but as no permanent good can be effected upon other principles than those of justice, his first object must be to make the Militia Laws bear equally upon all: where many are allowed to evade, none can be expected to obey them with alacrity. And as a preliminary step, he calls upon the Colonels of militia corps for a return of all men liable to militia service in their respective districts, and begs to assure them, that the honourable discharge of this duty will be the greatest benefit which, in a military capacity, they can confer upon the state.

JERSEY.

Two political institutions of Jersey have been justly condemned as unsuited to the wants and interests of the nineteenth century, and, after many years of patient endurance, the people have rallied round the standard of reform, fully determined to eradicate the numerous and oppressive grievances which affect their industry, their property, and their civil rights. The constitutions of both the Channel Islands were framed and settled in the time of King John, and this remote date alone affords presumptive evidence that they are not adapted to existing circumstances, because society has been gradually progressing since that period, and varying all the relations of the community. But, passing from presumptive evidence to direct testimony, we find "something rotten in the state of Denmark," in the legislative, judicial, executive and administrative departments; irresponsibility in the first; partiality in the second; cruelty in the third; incompetency in the fourth. We behold "the Augean stable of fabulous mythology practically realized, and look forward to some political Hercules, who may conduct a river Alpheus through the mass of unsightly abomination, and cleanse its accumulated impurities.

We have now before us a short, but able pamphlet, entitled, "*Les Grièfs du Peuple Jersiais, avec des Commentaires sur les Remèdes à y apporter*," the composition of Mr. George Messervy, a staunch and unflinching patriot of the right school, in which the chief evils now felt in Jersey are exhibited in a clear and energetic form, and so simply expressed and so lucidly arranged, that they must carry conviction to the mind of every man who possesses common sense and common honesty.

The animadversions of this gentleman are chiefly directed against the defective state of the law, or we should rather say, the total absence of all fixed law, and the corrupt administration of justice. The code of laws, such as it is, now possessed by Jersey, is contained in a small volume, and was compiled in 1771, but many of its provisions have been annulled by decisions of the States, and others introduced, which have been confirmed by various Orders in Council.

Mr. Messervy tells us that in civil and criminal proceedings, contradictory judgments are given on the same cases by different jurats,

Miscellaneous.—The United Service Journal for June, page 184, contains, in a long article on the British Auxiliary Legion in Spain, descriptive chiefly of its operations near St. Sebastian, in March last, the following tribute to the memories of two of our countrymen, Colonels Tupper and De Lancey, who fell at the head of their regiments, the former on 5th May, 1836, and the latter on 15th March last:—

"That such men as Tupper and De Lancey should have been lost to their country in vain, and have perished among thousands of unhappy victims in a hopeless struggle, in which, if every individual was a Hercules, his efforts could not have been crowned with success, is deeply to be lamented. The former was one of the most chivalrous, honourable, and gallant soldiers, and the most active and perfect commanding officer, who could have adorned the British name; and the latter not inferior in any respect; and the task he performed in cleansing the Augean stable, the convent of Corban, at Santander, from the mass of disease and filthy abandonment in which he found two thousand stragglers heaped together after the march to Vittoria, would appear incredible to one who had not seen it. His loss cannot be repaired in any army; and these are only two out of many whose memory deserves to be recorded."

Elisabeth College.—The annual prize established by W. Collings, esq., has been awarded to Utermarck, ma., of the Fifth Form.

who, having no written rule for their guidance and being themselves wholly unversed in the principles of jurisprudence, put forth their decisions at hazard, and base their verdicts on conjecture or caprice: that law costs are so enormous, as either to amount to a denial of justice, or to involve those who venture in this perilous experiment in ruin, while the lawyers amass fortunes out of the spoils of their clients; that many, knowing this horrible state of affairs, voluntarily abandon a just debt, rather than embark in litigation; that no man in public life dare enter an action for libel, as the jurats, who differ from him in politics, would assuredly exonerate the libeller, from party hatred; that thousands of pounds, now due to merchants and tradesmen, are not recoverable, as the law costs would absorb all the sums claimed: that fraudulent debtors are allowed to cheat their creditors by being separated from their wives, as to property; that the deputy-viscount and the dénonciateurs can arrest a person for debt, without proving that a shilling is due; and that in pleas of real estate, many abandon their claims, fearful of being harassed with costs, while the lawyers get possession of the property for a mere song.

This certainly is a most frightful picture, but it is not surcharged, for the proofs are afterwards exhibited, and indeed they are known and felt throughout the whole island. Mr. Messervy cites the case of the contested election for the constableness of St. Owen's parish, which remained undecided by the Royal Court from 1819 to 1836; nor would it then have been terminated, had not the two candidates, Messrs. Debeaume and Arthur, whose patience was exhausted by these interminable delays, mutually consented to demand a new election. We have also the case of Philip Le Couteur, Esq., the present constable of St. Peter's, who was kept out of his office for twelve months, though his opponent had only polled ten votes.

Mr. Messervy next introduces us into the sanctuary of justice, and declares that though there may be one hundred and fifty causes on the table, those only are selected for adjudication, in which the parties have friends among the jurats, the others being postponed till the Greek Kalends. This evil, we apprehend, could easily be remedied, by entering each cause on a roll, and calling them according to priority

of date, as is the practice in Guernsey. Our author also justly complains of the gross partiality exercised at the Greffe office, some persons being heavily charged for inspecting the books, while others are allowed to examine them gratuitously, though all the records belong to the public. Perhaps the greatest grievance in the whole catalogue is the system of calling an unlimited number of witnesses: it is distinctly stated, and even printed in italics, that two hundred witnesses have been subpoenaed in a cause, in consequence of which the clients are ruined before the process is ripe for adjudication. Many other grievances are pointed out, to which we do not more particularly allude, as we take it for granted that every Jerseyman has obtained a copy of this excellent work of Mr. Messervy's.

A reform meeting was held on the 5th of May, which was most numerous and respectfully attended, on which occasion the Rev. C. Traveller delivered a masterly speech to a delighted audience. Mr. Kaye also spoke, but though an advocate for reform in Jersey, he called himself a conservative, and supported the ballot in that island, though he protested against its introduction into England. The title assumed by the last speaker is to us unintelligible, as we have never yet seen a definition of Conservatism; and if we judge of it by the parliamentary conduct of those who assume it in England, then should we deem Mr. Kaye no valuable accession to the cause of liberal government. His ideas on the ballot are too inconsistent to need any comment: the principle is either sound or rotten, and must, therefore, be of universal application or of universal rejection. It is notorious that freedom of election does not exist in England, for farmers fear to lose their leases, and tradesmen their customers, if they vote according to their consciences.

The following are the petitions and resolutions adopted by the Jersey Reformers.

PETITION.

To Sir John De Veuille, Knight, President, and the Members of the States of Jersey.

The humble Petition of the undersigned Inhabitants of the island of Jersey, most humbly sheweth,—

That the Constitution granted to the inhabitants of this island, as far back as the reign of King John, remains, in all essential points, unaltered and in full force. Many of the provisions of this Charter, however well suited to the condition of the people at that time, are opposed to the principles of those liberal and enlightened institutions which prevail generally throughout his Majesty's dominions, and they are moreover ill-suited to the improved circumstances of the people, as well as to the intercourse which they enjoy with the United Kingdom, and other States in all parts of the globe.

That the inhabitants of Jersey view with the deepest and most unfeigned regret the daily increase of grievances arising out of the corrupt and inefficient administration of justice; and however much your petitioners may have had reason to complain hitherto, never were the abuses so glaring as those which they now deplore.

That the evils to be apprehended from such a system as the present, are the more grievously felt in Jersey, from the almost total absence of written laws to regulate the decisions of the Royal Court; and by the frequent elections, from the body of the people, of persons to the magistracy, who, by practice and education, are not previously qualified to discharge the judicial duties confided to them.

That the petitioners consider that the working class, or small rate payers, do not enjoy the free exercise of their votes in popular elec-

tions, being frequently obliged, contrary to their honest conviction, to act under the influence of their employers; and your petitioners beg leave, therefore, to suggest, that in order to leave them unhackled and free agents, the vote by ballot should be established amongst us.

And, lastly, your petitioners, in noticing the urgent necessity for the establishment of *jures de pairs*, or a court of requests for the recovery of small debts, beg leave to submit for your consideration, the following resolutions unanimously adopted at a meeting of upwards of two hundred and fifty persons, and to request that you will be pleased, with as little delay as possible, to grant and operate a full and complete measure of reform of the laws and institutions of the island, in conformity with the said resolutions.

And your petitioners will ever pray, &c.

RESOLUTIONS.

1.—That it is the opinion of this meeting that the state of affairs in this island is such as to call loudly for reform.

2.—That it is the opinion of this meeting that the people of Jersey are not sufficiently, and adequately represented in the legislative assembly, and that, in consideration of their being now in that assembly twenty-four irresponsible members, it would be desirable to add to that assembly, as now constituted, elected by the people, an equivalent number of representatives.

3.—That it is the opinion of this assembly that the present state of our judicature is inadequate to secure the ends of justice, and that the establishment of trial by jury, in civil as well as criminal cases, would be the surest means of remedying the evil.

4.—That it is the opinion of this meeting, that it would be highly expedient and beneficial to the community that the bar of the Royal Court be thrown open, and that all persons duly qualified be admitted to practice at the said bar.

5.—That it is the opinion of this meeting, that it would be highly advisable to rectify the present tariff for law expenses on a more moderate and more defined scale.

6.—That a clear and concise code of law is urgently called for, to guide our magistrates in the dispensing of justice, from the present almost total absence of written law in the island.

7.—That a mode of evading the contribution of the public rate by persons residing in one parish and holding property in another, having been so generally and unjustly practised of late, it is the opinion of this meeting that property should be taxed in the parish in which it stands.

RESOLUTIONS

Adopted at a General Meeting of Reformers, at the Royal Yacht Club Hotel, June 8, 1837.

That it is the opinion of this meeting that the judicial and legislative functions exercised by the *jures-justiciars* of the Royal court should be separated as being incompatible.

That the present *jures justiciars* be maintained in the right to sit as members of the States during life, unless they resign their legislative functions.

That the rectors of parishes be relieved from their legislative duties, maintaining the present clergy in the right of sitting in the States during life, unless they resign their legislative functions.

That immediately after the passing of the law, twenty-four representatives be chosen by the people, to complete, with the three bodies that now compose the States, the number of sixty members.

That, after the death or resignation of all the present *jures-justiciars* and rectors, the States remain composed of thirty-six representatives, being the present number of members.

THE
GUERNSEY & JERSEY MAGAZINE.

AUGUST, 1837.

TO VICTORIA THE FIRST,
ON HER ACCESSION TO THE THRONE OF GREAT BRITAIN.

A DAY of gladness brightens England's story,
Once more in Freedom's host she leads the van,
Again she stands prepared for deeds of glory,
And Tyranny retreats with visage wan,
Whilst Liberty appears with brow serene,
Supported by her champion, Britain's lovely Queen !

A nation's bursts of acclamation greet
The imperial Mistress of a nation's heart,—
Unnumbered echoes ~~her~~ loved name repeat,—
From beauteous eyes bright tears of pleasure start,
All hail the glory of the glorious scene,
The modest majesty of England's Virgin-queen.

—Rise, Erin, land of sorrows, rise, rejoice !
Too long thy sons have borne the yoke of sadness,
But let them now with one united voice
Burst forth in all their native gush of gladness !
VICTORIA reigns, the Queen of Liberty,
And England's sister isle, sweet Erin, shall be free !—

In the sweet summer-time begins thy reign,
A cheering omen for approaching years ;
Around thee crowd the season's beauteous train,
In the pure sky the spotless sun appears,
Meet emblems, fair benignant Queen, of thee,
Of thy bright beaming eye, and soul of purity.

To see thee pass from childhood to a throne,
Thy mien majestic, blent with nature's grace,
To hear thee there thy generous feelings own,
To view their play in thy angelic face,
Whilst England's noblest stand in mute amaze—
Marks thee the beacon-light that points to happier days.

To Victoria the First.

The lovely tresses of thy girlhood now
 Are by the bright tiara's gems confined,
 The dazzling crown surmounts thy lofty brow,
 The polished index of thy noble mind ;
 The brilliant purple robes thy graceful frame,
 The sceptre's in thy hand, and millions bless thy name !

Long may the olive-branch thy sceptre be,
 A sceptre meetest for thy gentle hand ;
 But if a foe should threaten thine or thee,
 Thy realms would form one vast "Immortal Band,"—
 "Victoria!" ring 'midst thunders through thy fleet,
 And lay the vanquished foe at thine imperial feet.

And O what rapture must thy mother's be
 To see the flower thus gloriously expand
 Which she has nurtured from its infancy,
 To watch it spread its fragrance o'er the land,
 Inhale fresh odours in its native bower,
 And grow the counterpart of its bright parent-flower.

The crown of England is a noble prize,
 And yet thy mother is a nobler far ;
 The one thou hast from her all change defies,
 Its heavenly lustre nought on earth may mar,—
 'Tis Virtue's crown, that, planted in thy breast,
 Fits thee to bless the earth and reign among the blessed.

Queen of the ocean-isles ! if 'midst the throng
 That seek to gain thine ear and win thy smile,
 If 'mongst the voices of immortal song,
 A voice could reach thee from this happy isle—
 Thine ear might listen to the humble strain
 That hails thee Albion's hope—Queen of the mighty main !

Throughout thy realms rejoicings will resound
 When England grieves less deeply for her king,
 Yet not a spot may in thy realms be found
 Where exultation shall more loudly ring,
 Where hearts more loyal breathe for thine and thee,
 Than in this Norman Isle, this halcyon of the sea.

The precious diamond is but small of size,
 Yet far it casts its rays of starry light,
 So, 'midst thy realms a gem, sweet SARNIA lies,
 Birth-place of names in glory's annals bright,
 Of names as lasting as its towering rocks,
 DE SAUMAREZ' glorious name, and patriotic BROCK'S.

Sweetly it rises 'midst the lovely sea,
 Proudly its towers the British flag display,
 Brave are its sons as bravest hearts can be,
 Rich in the fame that suffers no decay ;
 To own the sway of Britain forms its pride,
 Though with Britannia's foes engirt on every side.

Many and happy be thy future days,
Let thine the brightest age of science be,
Be thou the sun whose all-reviving rays
Shall fire once more the soul of Poësy ;
Then would thy triumphs with the mightiest vie,
England in song and arms the world again defy.

In thy bright reign Britannia shall arise
A glorious Phoenix from her time-worn fame,
On her again shall nations turn their eyes
When smouldering Freedom bursts forth in a flame,
Old England's golden days return once more,
Her Virgin-sovereign's name resound from shore to shore.

Guernsey, July 3, 1837.

J. D. PIERCEY.

ON THE ARISTOCRACY OF LABOUR.

DISTINCTIONS of rank in society are the necessary consequences of the moral and physical constitution of human nature. If all men were on the same level this day, inequality would be introduced among them to-morrow ; and this holds true, whether we view man living in a savage state, or in the most refined civilization. The differences in personal strength alone would produce this result, and when to that are added all the varieties of intellectual qualifications, it is evident that there must be not only extremes, but that all the intermediate spaces must be occupied by a plurality of grades, linked together as an extended chain. But though this admission be freely conceded, it by no means follows that the distinction of ranks, which actually obtains, is regulated by a proper standard, or governed by sound principles of morality or legislation ; so far from this being true, it is clear that many have originated in usurpation, or pride, or fashion, while they are submitted to by ignorance, and revered by prejudice.

Between man and the rest of the animal creation, there is a remarkable difference which lies at the root of this question, a difference, however rarely noticed, yet palpably obvious, so soon as it is stated. It relates to the question of food. The quadruped, the fish, the bird, the insect, and the reptile,—all the countless myriads of this multifarious creation,—find the means of subsistence ready prepared. To this law of Providence, man is the exception. He must earn his bread by the sweat of his brow ; he must labour. Such was the primæval command ; and could we suppose that this mandate were treated with universal disobedience, the penalty would be death ; the human race would be extinct, though the races of the inferior animals would still live. Suffice it to state the fact, without speculating on the cause, or pursuing its philosophical consequences. In a political sense, we hold it to be the foundation of the distinction of ranks in society, so far as inequa-

lity of station is the natural consequence of our moral and physical constitution.

Political, as well as religious, superstition, originates in ignorance; both have their idols; if those of the latter have been unfavourable to true piety, those of the former have deadened the influences of virtue. All acknowledge labour to be the parent of wealth, of the nutriment we eat and drink, of the raiment we wear, of the houses we inhabit, of the furniture we use; to it also we are indebted for the pleasures of art, the discoveries of science, and the useful inventions of machinery. Under Providence, labour is the sustainer of life, and the creator of all its enjoyments: and yet it is despised by men, abhorred as a burden, or scorned as a degradation. To dream away existence, as a waking sluggard; to wrap up the energies in exclusive selfishness; to consume, without producing, and reap, without sowing; to recline on a bed of down, and fare sumptuously every day, deeming the husbandman, the mechanic, and the tradesman, creatures of an inferior caste; such are the characteristics of what the current phraseology of a Christian country terms "a gentleman *par excellence*." Nor does the evil attach simply to those who repose listlessly on the summit of this bad eminence: it pervades all classes downwards, generating envy and pride through every graduation of the scale, each higher section looking down on the next inferior section with the same contempt, as they themselves are treated by those next above them in elevation. Even a nobleman's butler asserts a superiority over the footman of a commoner. To what extent this prejudice has cramped the practical influences of the Christian religion, it is the province of divines to determine; it is our business to point out some of its consequences on the social happiness of mankind.

The highest moral obligation that binds society together, is marriage. If there be any contract which requires in the most eminent degree to be pure and free, it is this; but what has it become in the present artificial system? A mercenary bargain, in which the affections are bartered for money, where virtue is at a discount, and pedigree at a premium. Cold calculation freezes the warmer impulses; the union of the sexes is reduced to a question of arithmetic, or a problem of genealogy; it is an affair either of sordidness or pride. We do not undervalue prudential considerations, or the exercise of a sound discretion in the forming of matrimonial engagements; where these do not recommend marriage, it need not take place; but if these are alone the inducement, then we say that it entails misery on the individuals, and generates vice among a nation. And to what is this huckstering to be attributed? To that baleful prejudice which stigmatizes labour and gradations of labour, and thus splits mankind into castes; which considers money acquired by one pursuit honourable, and by another, dishonourable;

which distinguishes him who deals in retail, from him who deals in wholesale ; and thus, through a series of conventional follies, establishes a standard of excellence, revolting to common sense, ridiculous to philosophy, and diametrically opposed to religion, to that very religion whose solemn sanction is essential to the rite of marriage.

The vice of the parents descends to the children. Their example is before them. To marry beneath their station, would degrade the family. Neither can they pursue any vocation, not as nominally respectable as that followed by their ancestors. Perhaps they aspire still higher, and disdain the mean servitude of trade. What is the result of these feelings ? The loss of mental independence. Such characters stoop to rise, aye, stoop into the very mire, worshippers of title, idolaters of patronage, parasites of power. Too proud, though they be, to earn their bread by honest industry, they can reconcile it to their consciences to live on the alms of the aristocracy, doled out as a reward for servility or apostacy ; they can take the wages of corruption, without a blush, and do the biddings of tyranny, without a pang.

"What's in a name ?" asked Shakespeare. Many have answered the question, and we shall add to the number of the respondents. The homage paid to mere names, even now in England, is preposterously absurd : Smith and Thompson are outward signs of a plebeian ; Cavendish and Seymour, the visible marks of aristocracy. Among the ancients this is so transcendantly ridiculous, that we are tempted to give a few specimens of classical nomenclature, with an English interpretation of the hieroglyphics. Xenophon, which signifies one that speaks a foreign language, was the name of the celebrated Greek who distinguished himself not only as a consummate captain, but also as an elegant writer in his mother tongue. What could be more inappropriate than to denominate the great philosopher of Crotona, Pythagoras, which signifies a stinking breath ? or what could be more misapplied than the name of the weeping philosopher, Heraclitus, denoting military glory ? The inheritance of surnames, among the Romans, produced still more ludicrous consequences. The best and noblest families in Rome derived their names from the coarsest employments, or else from the corporal blemishes of their ancestors. The Pisones were millers ; the Cicerones and the Lentuli were so called from the vetches and lentils which their forefathers dealt in. The Fabii were so denominated from a dung-pit, in which the first of the family was begotten by stealth. A ploughman gave rise to the great family of the Serrani. The Suilii, the Bubulci, and the Porci, were respectively descended from a swine-herd, a cow-herd, and a pork-butcher. The senator Strabo would be called here Squintum, and the Limi rejoice in the appellation of Sheep's-Eyes. What could be more disrespectful than to give the surname of Snub-

Nose to P. Silius, the pro-prætor, because his great-great-grand-father had a nose of that shape? Ovid, indeed, had a long nose, and therefore was justly denominated Naso; but why should Horace have been called Flaccus, as if his ears had been stretched in the pillory? Why need we mention the Plauti, Panci, Valgi, Vari, Vatiæ, and Scauri; the Tutidani, the Malici, and Cenestellæ; in other words, the Splay-foots, the Bandylegs, the Shamble-shins, Baker-knees, Club-feet, Hammer-heads, Chubby-cheeks, and Bald-heads.

Approaching the times of modern history, we find on record an Italian minister of state, called Grossa-testa, or Great-head, though, in fact, he had scarcely any head at all, or at least any brain in the interior. That nation had likewise its Sforzas, Malatestas, Boccannigras, Porcinas, Colonnas, Muratorios, Medicis, and Gozzi: or, in plain English, Endeavours, Chuckle-heads, Black-muzzles, Hogs, Pillars, Masons, Physicians, and Chubby-chops. Among the proud Dons and Hidalgos of Spain, we find the Almohadas, Girones, Utreras, Ursinas, and Zapatas; signifying Cushions, Gores, Bullocks, Bears, and Slippers.

Examples might be multiplied from other countries, but these are sufficient to show the senseless foolery of name-worship. But what is more to our purpose, the specimens adduced unanswerably exhibit the aristocracy of labour, as the real founder of titled families, and that the present holders of hereditary honours despise the very source from which all their artificial superiority flows. Such is the usual course of ambition; when it has reached the eminence to which it aspired, it kicks down the ladder which aided its elevation. Titular rank thus becomes a question of date; the father of one man earns money before the father of another man, and from this casualty alone, society recognizes the son of the one to be the superior of the son of the other; such is the mighty difference between an old family and a *parvenu*!

If this subject be traced more widely through its varied ramifications we shall find that the degradation attached to labour, and the dignity conferred on idleness, are fraught with the most fatal evils to good government. It gives rise to the existence of a favoured class, in whose families property is perpetuated by primogeniture, and power rendered permanent by legislative enactment. They form, what is called, the aristocracy, and their ranks are constantly strengthened by fresh additions; for, so soon as a commoner has acquired sufficient influence to render him truly formidable to the exclusive section, he is lured away from the popular ranks, and incorporated with the nobility. We are then sought to be blinded with a hollow sophism about that beautiful justice inherent in our constitution, which opens the door to merit, and invites it to the highest honours of the state: but the assertion is false; merit, without money, never yet gained the peerage; it did not do so

for Newton, or Locke, or Davey, or Watt; nor will it ever do so for mere genius.

But let us descend somewhat lower in the scale. Will talent or virtue, or both combined, secure for the possessor military or naval rank? the experience of the past and the present, answer in a decided negative. We are not to look to isolated cases, which are exceptions to the rule, and which in fact prove our position, instead of invalidating it; the system of promotion in both services is a crying evil, being not only unjust towards individuals, but detrimental to the interests of the country. A fund is annually levied on the labour of the nation to pay soldiers and sailors, and the nation have a clear right to insist that that fund be expended in securing the most available efficiency; but that right is disregarded in practice, as all the higher grades are occupied by the relatives and friends of the aristocracy, without the least respect to moral qualities, fitness, intelligence, or length of service.

It has been said, and truly said, that a man who can make two blades of grass grow, where only one grew before, is a benefactor to the human race. This amounts to a recognition of the aristocracy of labour, but who, among our statesmen, rewards such industry with more than a barren compliment? The secret service money enriches a spy, and the pension list records the gratitude of a minister to a demirep or a black-leg; but rare are the occasions, when the real national benefactor receives a national recompense. Many of our greatest writers, whose works have civilized and enlightened millions, and will continue to do so among generations yet unborn, have lived in want of common necessities, while the parasites of aristocracy have revelled in luxury; and yet the age may have been called Augustan, and the sovereign the best of princes.

It is desirable to wipe the slur from labour, and to assert its dignity, whether it be of a physical, or an intellectual, character. It has its grades, and it must ever have them; but the nature of the occupation neither elevates nor lowers man. Though we admire the broad and deep river, are we to despise the tributary streams which fill its bed? Is the magnificence of the oak, to render us insensible to the beauties of the lily? The mountain has its grandeur; the valley, its quiet repose; the sea, its boundless sublimity; the lake, its placid bosom: yet, however dissimilar the objects, they are parts of that great whole, whose apparent discord is true harmony, and each, in turn, excites our devotion. But man, while paying homage to the external charms of nature in its diversified attractions, scorns his own race, merely tolerating that particular section to which he himself belongs, envying those above him, and despising those beneath him. This is not a Christian feeling; it is not philosophic, nor liberal, nor humane, nor just: in fact, it is irrational.

In consequence of labour being branded as a badge of disgrace, all the energies of mind and body are devoted to the acquisition of wealth, and few are scrupulous of the means by which it is acquired. There is but one restraint, the law of the land ; the moral and religious checks are powerless. The desperate forge, the reckless swindle, the cunning overreach. None remain satisfied with a competency ; avarice rules the conduct, and monopoly alone can satiate the craving after gold. Concentration is the order of the day ; small farms are united together, and one master lords it over a parish ; capitalists join their stocks, and the poor tradesman is driven from the market. The nation thus hurries forward to its ruin ; the eminence is gained, the brain goes dizzy with the elevation, and soon the deep abyss, which yawns at the base, engulphs the slave of the passions. Bankers fail ; merchants stop payment ; workmen rebel. These results are of periodical recurrence ; witness the years 1815, 1825, and the present year.

Not the least considerable of the moral evils, in a national point of view, attending the law of primogeniture, is its tendency to degrade labour, and encourage a spirit of avarice and gambling. By accumulating immense masses of property in few hands, the possessors resemble towers placed on lofty hills, which many try to reach. Their wealth is the standard of opulence, and those who have less, are discontented. On the one side we find pride, on the other, jealousy. Gold purchases the electoral constituencies, and when the purchase money is paid, the buyers look out for a market to sell what they have bought. Thus moral corruption spreads through all classes, and poisons the virtue of the nation. The inequality is so broad, as to endanger public freedom. The bold speculator tries to trim the balance, so far as he is individually concerned, by incurring gambling hazards, which generally end in failure ; the majority sit down tamely under the injustice, and sink into a state of slavery.

England is now reforming her decayed and mouldering institutions ; the task is a noble one, and, sooner or later, it must succeed. But the grand *desideratum* does not seem to be contemplated by the legislature, which disregards the inseparable connection between political and moral government. The whole scheme, to be comprehensive and permanent, (for if not comprehensive, it never will be permanent,) is to build upon solid principles, and not tinker the national machinery. Hitherto, our statesmen have been too prone "*stare super antiquas vias*," to tread the beaten path, fearing to diverge either to the right or the left, and thus they have rather amended what was old, than created anything new. But this is not all ; in the measures of their too cautious policy, they have looked only at the landmarks and boundaries of the constitution, without ever considering whether these were

placed in true lines and proper positions. The spirit of the age requires a wider survey, and a bolder flight. The law of the land should be founded on the precepts of the Gospel, and harmonize with religion; we have reversed this; the law professes to protect religion, and judicial *dicta* have declared that Christianity is part and parcel of English jurisprudence. Revelation has thus been made to bend to human authority, and lean on it for support. To no other cause, can our sanguinary penal code, now however greatly purified, be attributed, nor the former defence of negro slavery. It is needless to enumerate the catalogue of past and present evils; whoever reflects on them steadily, will admit that very few, if any, would have existed, had legislation been based on the positive and intelligible command, "Do unto others that which you would have others do unto you." But the language of the pulpit and the senate have clashed; and the rules of individual and national morality have been "wide as the poles asunder."

THE PUPIL OF NATURE IN THE MINE OF COPERBEREIT.

A Tale of Sweden.

A CHANCE child was abandoned at his birth in the vast forests of Dalecarlia; the female of a white bear, who had lost her young, suckled him, till he was able to live on acorns and wild fruits; but this wild beast was not so fortunate as the she-wolf of Romulus; she neither suckled a king nor a conqueror, but simply a philosopher.

At the age of twenty, a fortuitous circumstance enabled him to break down the barrier which separated him from society; the following were his first thoughts on beholding men; his ideas were philosophical, though his style and mode of expression were not: but we give them in substance.

"As long as I remained in my native woods, I deemed myself the only one of my species, for I resembled no other being with whom I lived. With pleasure and astonishment I now see other creatures resembling myself; my own existence thus becomes multiplied, and nature seems to me more beautiful since I have ceased to be the sole object of adoration. How happens it that the sight of these newly discovered beings fills me with such peculiar interest? My blood flows more quickly; my heart palpitates; my pulse beats with firmer tension; I feel that their happiness is dear to me, and that I can only be happy in their presence! But what is this new object that ravishes my senses? is it of a nature superior to my own? what freshness of complexion! what elegance in the gait! what softness in the eyes! an unknown movement quivers through my frame; a secret fire circulates through my veins; ah! now do I feel the full value of existence. What is this superior form whose aspect kindles within me indomitable desire; I feel myself stronger than this enchanting vision; no; I am indeed weaker, for I cannot resist its influence. I will approach, and fall at its knees; if a divinity, it will accept my homage; if my equal, still more will it be pleased with my adoration."

At the first movement of the savage, the young Swedish girl, who had excited his admiration, fled with rapid steps from his approach ; she had, however, sufficiently contemplated his singular appearance to have received a lively impression of the interview, and that impression was far from unpleasing ; the figure of the Dalecarlian was as symmetrical as her own ; a slight down shadowed his chin, and betrayed his age ; even his air and ferocity seemed mellow and subdued ; she thought that this strange animal might be tamed, and she secretly wished that no one might tame him, but herself.

The two brothers of the young Swede, as curious as their sister, but not so timid, remained on the ground to watch the progress of the stranger ; the young inhabitant of the woods, convinced that he had displeased the beautiful object of his admiration, remained for some moments stationary and silent, plunged in a profound reverie ; but his senses being now no longer held captive by her presence, he collected himself, and the lover merged in the philosopher.

"My heart," said he, "is to me an inexplicable problem ; I certainly feel that I owe some obligations to the bear that suckled me ; but that sentiment of gratitude is much feebler, than the impulse that attaches me to other beings which resemble me in organization. How can I tell but that they may have been my benefactors, before I even knew myself ? The wild beast that reared me, certainly did not give me life, for her disposition was quite opposite to mine ; I have always shuddered in seeing her tear in pieces the quivering entrails of a reindeer, which appeased her hunger without satisfying her voracity : I have never quenched my thirst in drinking the blood of animals ; and yet I feel that I could cheerfully spill my own, to win the favours of that fascinating unknown who has enthralled my senses, and flown my presence. Every feeling attaches me to these halves of myself. O nature ! realize my wishes ; show me those who brought me into the world ; doubtlessly they would love me, since I have been loved by a bear."

During this soliloquy, the young Swedes gradually approached the savage, expressing to each other their mutual astonishment ; they were as surprised to see a wild man musing and in contemplation, as he was to hear their conversation. Sympathy, so natural to man, acts constantly though gradually ; they saw that the savage was not repulsively ferocious, and that his coarse garments chiefly gave him a disgusting appearance ; the two brothers made him signs of friendship, and partly by force, partly by persuasion, they conducted him to their house, determined to examine at their leisure the mechanism of this monkey, for they thought him one of the varieties of the ourang outang.

Domestication soon teaches even the lowest animals to copy the manners of their new associates. Our hero soon learned to eat with something approaching to etiquette ; the larynx of his throat became habituated to the inflexions of the Swedish language ; he felt that other ties, than those of sympathy, could unite him to his fellows ; he began to experience the charms of friendship, whilst the young Swedes were delighted in having tamed a handsome monkey.

The beautiful Waldemar, sister to the generous hosts of the Dalecarlian savage, did not reside with them ; nevertheless, her heart was always with the wild stranger ; each day she went to ascertain his intellectual progress ; she fancied her own understanding enlarged, as his was developed, and shared alike in the efforts of the instructors and in the gratitude of

the pupil; sometimes their eyes met, and then all was forgotten, but their own individuality; when Waldemar again collected herself, she seemed displeased at having gazed so long on the savage; but she felt still more uneasy, when he ceased to regard her.

All that the Dalecarlian saw and heard, was to him a phenomenon; in some respects, he resembled a man who might have seen light at the moment of its creation, and who yet doubted the reality of all he saw, because he saw it for the first time. One day, while walking alone in a secluded valley, meditating on what he had been during the first twenty years of his existence, he suddenly heard cries of distress, and beheld an unfortunate traveller about to be assassinated and plundered. These brigands were arrested in the following year, and justified themselves when under the torture, by the most demoralizing sophisms; they assumed to themselves the right of correcting the physical inequality that exists among men, declaring that the law of the strongest was the first law of nature; a doctrine which Machiavel has taught to princes, and Hobbes to the human race.

If the Dalecarlian had heard the arguments of these wretches, he would have been astonished that two schemes of morality existed among men; but, at the moment when he heard the victim calling for aid against his assassins, he stopped not to reason; to hear the cries of the unfortunate and fly to his rescue, were with him the work of the same instant; he arrived, however, too late to prevent the perpetration of the crime; when he reached the spot, the murderers had taken to flight. Humanity drew a sigh from the Dalecarlian; the barbarians! he ejaculated; surely they deserved no other mother than mine.

Tremblingly he approached the bleeding body, which still palpitated on the green sward; he beheld . . . what a spectacle for a heart so newly opened, and which had not yet been rendered callous by prosperity!—he beheld in the dead corpse before him one of his benefactors, a brother of the beautiful Waldemar; he threw himself on the breast of his friend, and endeavoured to staunch the blood that flowed from his wound; but all the efforts of his tenderness were unavailing; the Swede was dead, and what rendered the grief of the Dalecarlian more poignant was, that he had expired without recognizing him.

With horror depicted on his countenance, and despair gnawing at his heart, the savage remained near the body, absorbed in painful reflexions. "I never saw," said he, "in my old abode in the woods, one bear devour another; the most ferocious of wild beasts respected those of his own species; but, in this new world, man preys on man." He was thus reasoning, when a crowd of men, dressed in a peculiar costume, approached: they were police officers, appointed to watch over the safety of the people. Being badly paid by the government, they always arranged with assassins and robbers never to make their appearance before the crime was completed, for which complaisance they received a share of the spoil; the traveller thus became the victim of these arrangements, and he was generally put to death, lest he should complain of the inefficiency of the police.

The chief officer seeing a dead body before him and a man apparently weeping over it, was at a loss to understand this unusual appearance: but as he had a ready presence of mind, he concealed his surprize, and resolved to turn the circumstance to his advantage, by seizing the stranger as an assassin, whose only crime was in being more humane than prudent.

The Dalecarlian was accordingly led before the magistrates and as he spoke the Swedish language very imperfectly, he made an indifferent defence; the proof against him was entirely presumptive, but he was unanimously condemned to pass the remainder of his life in the mine of Coperbercit. The savage, who during his trial had not sought to work on the feelings of the judges, but to enlighten their understanding, did not curse them, after the sentence was pronounced, though he pitied their ignorance. Two circumstances, however, gave him very considerable pain; his inability to have saved the life of his benefactor, and the dread of being guilty in the eyes of the beautiful Waldemar.

He was not long incarcerated in the living tomb which now served him as a prison, before he began to feel the bitterness of his destiny. He was surrounded by the most frightful objects, while these could only be discerned by the light of a lamp; and the invariable monotony of the scene was sickening and repulsive: from these horrors, he had no hope of escape; and when he reflected that he would be deemed a murderer by Waldemar, he was plunged in the deepest melancholy. Fatigued with condemning the injustice of men, he felt himself gradually tempted to imitate them. One day, pretending to sleep, he threw himself down on a heap of tools used in the mine, which served him as a bed, and evil thoughts floated through his brain. "I am born free, and the judges have no right to deprive me of this prerogative of my nature; I can recover by violence that of which I have been despoiled by violence; I will endeavour to force the formidable barrier which separates me from the light of day; and since the death of all who surround me, my fellow prisoners and the guards, can alone open to me the portals of freedom, let me resolutely attempt their sacrifice to ensure my own advantage. If I perish in the experiment, I lose nothing; and if I kill all the sharers of my misery, they will at least find in death a termination to their sufferings, and I shall enjoy the blessings of liberty by escaping from this dungeon."

These furious passions began to ferment in the soul of the savage; he already measured with his eyes a strong bar of iron with which to dash out the brains of his companions in their sleep, when he heard two of his companions discussing a similar conspiracy, by which they proposed on the ensuing night, to murder all the inhabitants of the mine, and destroy at one blow the tyrants and the victims of tyranny. The savage, astonished and confounded, now felt that his thoughts began to flow in another direction. "My existence," said he to himself, "may importune my equals, as their existence importunes me; how then can I claim the right of disposing of their fate? If I had any such right, it could not be an exclusive one; every other man would share it with me, and then the power of mutual destruction would become a law of nature; but this cannot be, since God would never thus fall into contradiction with himself; he has never ordained that harmony and discord should co-exist. Let me then not lose the only blessing that remains, a pure conscience and peace of mind; all the pleasures of this world are as dross if purchased by remorse."

While the Dalecarlian was thus struggling with the remnant of his virtue against the delirium of his imagination, the beautiful Waldemar was scarcely more happy or tranquil in mind; the image of her brother, assassinated by her lover, haunted her mind in the sequestered retreat to which she had retired; she constantly reproached herself, as being the instrument that had drawn him from his native woods: she could not

bear his name mentioned without shuddering ; she invoked the vengeance of heaven against ingratitude ; and yet, when venting her bitterest imprecations against the Dalecarlian, she loved him still, and what to her was most horrible, she felt conscious of that love, and by no artifice could destroy or dissemble the sensation.

This dreadful state of mind continued during a year ; the sensitive Waldemar, secretly devoured by mental grief, approached with silent steps to an early tomb. Wearied with this agonizing state of existence, the rose fled her cheek, and the wrinkle began to furrow her brow ; but the tender passion still dwelt in her heart. Suddenly she heard that the real assassins of her brother had been discovered, and that her lover, the victim of perjured witnesses and incompetent judges, was expiating in the gloomy caverns of Coperbereit the crime of being humane without prudence, and generous without baseness.

On hearing this intelligence the eyes of Waldemar began to sparkle with joy, and all her faculties resumed their pristine energy. " After all," she exclaimed, " my heart has not deceived me, and the unfortunate savage is worthy of my affection. But am I still worthy of him, I who condemned him without a hearing ; I who never opposed the deep convictions of my tenderness to the sophisms of his accusers ; I who have unjustly and illiberally dared to think that the pupil of nature could stain his hands in the blood of his benefactor."

Violent passions are rarely of long duration ; Waldemar, preferring to meet the reproaches of her lover openly, to brooding over them in anticipation, instantly resolved to visit him in his prison ; she did not communicate her project to any one ; her friends would have insisted on the indelicacy of her conduct, but she resolved only to listen to the promptings of virtue.

Whilst Waldemar thus endeavoured to restore tranquillity to her distracted heart, discord reigned in the mine of Coperbereit, and some who had been there incarcerated for many years, resolved to gain their freedom even with the very chains that manacled them in slavery. The Dalecarlian exerted himself in-vain to bring back these conspirators within the pale of natural law, and he found himself obliged to give notice to his companions of the massacre that had been resolved on. Soon after the battle engaged in this subterranean abyss ; the columns which supported the roof were pulled down ; chains rattled against chains. The scene of horror became more and more frightful ; the pale light of the lamps which alone banished total darkness from this gloomy cavern, flashed on the infuriated countenances of the combatants : they gnashed their teeth in frenzy, and the air resounded with appeals to heaven mingled with the imprecations of despair. Each party fought with the same desperation ; the conspirators feared the lingering tortures to which the government would sentence them, if the revolt was unsuccessful, and while their opponents feared that they might survive the conflict, only to prolong their miserable existence. When the fury of the combatants seemed to have reached its height, a chair, supported by quivering ropes, was seen to descend from the top of the mine, in which was seated a young female, whose age and beauty, coupled with the tears that streamed down her cheeks, excited the liveliest interest. It is the privilege of woman, especially of woman in tears, to disarm the most unbridled ferocity : on the instant, a profound silence pervaded the dark region which so recently resounded with frantic exclamations : the unknown visitor was looked on

as a celestial messenger, and the wretched captives, who had never painted the image of God except armed within an avenging thunderbolt, now conceived the idea of a merciful deity. The stranger cast her eyes around seeking to penetrate the gloom, and distinguish some particular object : a spectral form, chained and covered with blood, approached her, retreated, and then rushed forward again into her presence ; they mutually recognized each other, and both uttered an exclamation of surprise.—What ! is it you, Waldemar ? Is it you, unfortunate savage ? Their arms were intertwined, they embraced, and mingled their tears together.—Without doubt I am innocent in your eyes, Waldemar, or you would not have sought me in this horrible cavern.—Yes, you are indeed, but you have suffered injustice for a year.—Your heart, dear Waldemar, remains : that suffices : I shall die content.—No, you shall live ; you alone can replace the most affectionate of brothers ; perhaps enable me to forget his unfortunate end. Listen ; the king has not yet definitively reversed your sentence ; but he wishes to see you, and from this moment you are free. Let us at once quit this desolating scene where innocence groans and where crime is too severely punished : hasten to throw yourself at the feet of our sovereign ; I need not intercede for you, because he is just ; but I will plead for your unfortunate companions ; if I can alleviate the weight of their sufferings, assuredly I shall rise higher in your estimation.

Suddenly to pass from the lowest depths of despair to the exuberant enjoyment of happiness, and, when on the verge of the tomb, to gain life and liberty, a mistress and virtue, are among those sudden transitions which happen but once in the life of man, and which leave an impression that death only can obliterate. The Dalecarlian, stupified by the excess of felicity, scarcely breathed ; he fancied all was a charmed dream, and he feared to awake lest he should break the spell. The captives who surrounded this interesting couple, were disarmed of their fury ; and the hope of having their condition changed, brought them back to the better feelings of humanity.

Then reigned in Sweden Charles the Twelfth, whose vices and whose virtues were equally calculated to astonish mankind ; a monarch who delighted alone in war, and who preferred shaking the stability of all the thrones in Europe, to reposing quietly on his own. As soon as he heard of the iniquitous condemnation of the Dalecarlian, he resolved to imprison all the judges in the mine of Coperbercit : this fierce justice was worthy of the despot who wrote to the senators of Stockholm that he would send them his boot to preside over their debates.

At this juncture Charles died ; Queen Ulrica, who succeeded him, annulled the sentence against the Dalecarlian, and imprisoned in the same dungeon, from which he was liberated, the police officer to whose wilful perjury his sufferings were attributable. On the entreaties of Waldemar, that princess alleviated the sufferings of the captives of Coperbercit : she opened the door to future pardon, if they deserved the exercise of clemency ; and by thus showing to these criminals that they still possessed a country, she succeeded in kindling their virtues and animating their patriotism.

All now seemed to prosper with the Dalecarlian ; he tastes the sweets of civilization, and the pleasure of living under a regular government ; he made friends of intelligent persons who pitied his past misfortunes ; he was about to be united by the dearest ties to the tender Waldemar ; but his virtue had not yet been sufficiently tested in the school of adversity.

The police officer, whose turpitude had heaped misfortune on an innocent man, and who was now about to feel similar tortures in his own person had not yet finished his career of crime ; persuaded that the Dalecarlian was the instrument of his ruin, he resolved, before being sent to Coperbercit, to perpetrate the most horrible revenge. He engaged a Swedish woman, with whom he had lived for many years in illicit intercourse, to poison his supposed enemy. It was planned that this female should enter the family of Waldemar, in the capacity of a waiting woman, and herself present the fatal potion to the pupil of nature. The day selected for this cruel attempt, was that on which the nuptials were to be celebrated. Great crimes are frequently plotted by ordinary minds, but men of commanding passions alone carry them into execution. The Swedish woman did not feel towards the police officer that impetuous and ardent love which leads to signal vengeance, and often excuses its perpetration ; interest, habit, and that secret sympathy which binds together accomplices in the same character of guilt, were the only links which united these depraved confederates ; they were rather friends than lovers,—if indeed we may be excused for profaning the august name of friendship, in applying it to such worthless wretches.

The Dalecarlian held in his hand the fatal cup ; he spoke with deep feeling of his approaching happiness : the waiting woman listened with deep emotion ; in spite of herself, humanity asserted its rights and spoke to her heart ; she trembled at the thought of having secured her own revenge.—Heaven, said the philosopher, has conducted me to unexampled happiness, through paths which seemed to lead to ruin : I have drained to the dregs the bitter cup of adversity ; and never have I seen the countenance of her that gave me birth.—What, exclaimed the waiting woman, does not your mother live ?—She has never lived for me ; the barbarian sought to conceal the disgrace of my birth by my death, and exposed me in a forest where I was suckled by a bear less ferocious than herself.—The anxiety of the female became stronger every moment ; her features displayed all the varied emotions of the most violent passions. Suddenly she placed her hand on the vessel which contained the poison.—Answer me, she warmly exclaimed ; in what forest were you exposed ?—In that which skirts the borders of Dalecarlia.—How long since ?—I imagine about twenty years.—Scarcely were these words pronounced, than she uttered a piercing scream, upset the fatal goblet, and throwing herself on her knees before the intended victim, “ Unfortunate youth, she exclaimed, behold your mother, who sinks with shame at your feet ; I attempted to destroy you at your birth ; and this day to avenge your father, I was about to poison you. Habit had rendered me callous to crime ; I am now stung with remorse ; leave my punishment to my own conscience ; may you be happy ; I shall soon be no more : repentance can never produce oblivion of my guilt.”

The Dalecarlian reasoned too well not to perceive that the ties which united him to infanticide parents were broken ; that gratitude supposed kind services rendered, and not attempts at murder, and that he really owed more to the bear that had suckled him, than to the mother that had exposed him. His philosophy, however, yielded to his natural sensibility ; he raised the woman from the floor ; Live, said he, live ; if you recover virtue, the past will be forgotten, and you will still be my mother.

But the noble monument which this ingenuous youth was preparing to raise up in honour of nature, was not yet completed. He was constantly

haunted by the image of his father who was suffering disgrace and misery, and writhing in tortures of despair. He determined to open his thoughts to the beautiful Waldemar. "Dear object of my affections," said he, "this day we were to have been united by the indissoluble ties of marriage; but my soul does not yet feel undisturbed serenity, and I must make one more sacrifice, before I deserve your hand. The author of my existence now groans in the mine of Coperbereit; I am aware that chance presided over my birth, and that my father, having plotted against my life, has no claims on my gratitude; but heaven has sufficiently punished him in abandoning him to the reproaches of his conscience. I will go to him; I will revive in him the sentiments of virtue, which I trust are rather more extinct than dormant; and if I bring his mind back to the dignity of manhood, perhaps he may yet be worthy of being called my father." Waldemar embraced the savage, admiring the elevation of his sentiments; their nuptials were postponed, and the two lovers rose higher in the esteem of each other.

Waldemar hastened to the queen to beseech her clemency towards the police officer, and succeeded in obtaining his pardon. "In condemning him," said her majesty, "I desired to avenge the wrongs inflicted upon innocence; since his life is dear to you, he is free; all his crimes will soon be effaced by the influence of his son's example."

The Dalecarlian having received the official deed which contained the pardon of his father, quitted Stockholm, and descended into the mine of Coperbereit. As soon as the prisoner saw him, his eyes sparkled with rage; he shook with fury the chain by which he was manacled, and indicated his deep hatred by ferocious gestures. The philosopher read his wishes in his countenance, and, throwing to him his sword, exclaimed: "Strike; I am your son: I shall recognize my father by the wounds he inflicts; let him destroy a life which the wild beasts in the woods of Dalecarlia respected." The police officer was not born with a black heart; indigence and weakness of mind had hurried him on from crime to crime, but he was not vile on principle or wicked by system. The noble generosity of his son roused from their torpor the better feelings of his nature. He drew back with a shudder, and shaded his eyes with his hands, fearing to regard his child. "Pity and pardon me," he said; "my past crimes and those which even now I meditated are so many daggers plunged into my heart. Could I even escape the legal tribunals, how can I fly from conscience. Quit a wretch whom your conduct has roused to a sense of virtue, only to augment the anguish of his feelings,—a wretch who, without you, would have been more guilty, but assuredly less miserable." The Dalecarlian endeavoured to console his father. "Remorse," said he, "only accompanies crime; your disposition is not innately and necessarily vile; though it would become irretrievably so, if you despaired through repentance of regaining the paths of virtue. He who feels the pangs of conscience is not lost; and though your past life has been marked by crime, you may still atone for the past, and be a worthy citizen." "Do you then, my son, plead in my justification? now do I feel the full force of my turpitude. Leave me; I cannot bear your presence." "No; I compassionate you too sincerely; the stings of conscience are to you a severer punishment than the penal code of man. Behold your pardon, which I have brought with me: be free."

The police officer was stupified into silence,—a silence more eloquent of gratitude than the loudest protestations; he embraced the knees of the

Dalecarlian, and watered them with his tears : then, suddenly starting up, he warmly grasped his hand, and passionately exclaimed ; " A new light bursts upon me : I feel that I shall become worthy of calling you my son, and that you will not blush at being my benefactor ; I aspire to begin a new career, and the days that I shall pass in endeavouring to imitate your example will perhaps efface from memory the recollections of those fatal moments when I conspired against your existence."

The liberated prisoner married the Swedish woman. The Dalecarlian was united to the beautiful Waldemar, and the pupil of nature thus found a country, a father, and a wife.

ANECDOTES OF PETER THE GREAT, OF RUSSIA.

PETER THE GREAT, desirous of forming useful establishments in his dominions, and of encouraging those already existing, visited different workshops and manufactories with great assiduity. Among others that he often frequented, were the forges of Muller, at Istia, on the road to Kalouga, at ninety wersts distant from Moscow. He once passed a whole month there to drink the chalybeate waters ; and, after having given due attention to affairs of state, which, indeed, he never neglected, he amused himself with not only examining every thing in the most minute manner, but also with putting his hand to the work, and learning the trade of a blacksmith. He succeeded so well, that, on one of the last days of his residence there, he forged, alone, eighteen poods of iron, (the pood is equal to forty pounds weight,) and put his own private mark on each bar. The boyers, and other noblemen of his suite, were obliged to blow the bellows, to stir the fire, to carry coals, and perform all the other offices of hammermen.

Some days afterwards, on his return to Moscow, he went to see Verner Muller, bestowed great praise on his establishment, and asked him how much he gave per pood for iron in bar, furnished by a master blacksmith. "Three copecks, or an altin," said Muller. "Well then," said the czar, "I have earned eighteen altins, and am come to be paid." Muller immediately opened his bureau, took out eighteen ducats, and counting them before the prince, "It is the least," said he, "that can be given to such a workman as your Majesty." But the emperor refused them ; "Take again your ducats," said he, "and pay me the usual price ; I have worked no better than another blacksmith ; and this will serve to buy me a pair of shoes, of which I am greatly in want." At the same time his Majesty showed him those he wore, which had already been soled, and stood in need of a second repair. He took the eighteen altins, went directly to a shop, bought a pair of shoes, and took a great pleasure in showing them on his feet, saying to those who were present : "I have earned them well by the sweat of my brow, with hammer and anvil."

One of those bars of iron, forged by Peter the Great, and authenticated by his mark, was to be seen at Istia, in the same forge of Muller, in 1788. Another, forged also with his own hand, is preserved in the Academy of Sciences at Petersburg ; but this latter was forged at a later period, at Olonetz, on the lake of Lodoga.

This sage legislator of Russia always showed, by his own example, that he would cause the laws to be observed with rigour. He was inexorable

in criminal matters, especially when the crime bore the least evidence of premeditated malice. Whoever committed a murder had no pardon to hope for; the czar used to say, "Blood that has been spilt cries aloud for vengeance, and murder, that goes unpunished, is a wound given to the state."

Miss Hamilton, maid of honour to the empress, was much addicted to gallantry, and was delivered of two children, but with so much secrecy as to escape suspicion. The same event, happening a third time, brought her to the scaffold. The dead child was found, and every circumstance told against her. She was taken into custody by order of the Czar, and confessed in prison, that this was the third child she had murdered. Sentence of death was pronounced on her, and confirmed by the emperor, contrary to her expectation; for the great number of solicitations in her favour, and the friendship with which he had always honoured her, (so far as even to raise suspicions of amorous motives,) made her hope for pardon. All, however, was ineffectual. Peter determined to keep up in his dominions the respect due to laws, both human and divine. On the day of execution, the offender appeared dressed in a white silk gown, trimmed with black ribbons, and was conducted to the scaffold. The emperor attended, gave her a kiss, and took leave of her; "I cannot," said he, "violate the laws to save your life. God may forgive you your sins; address your prayers to him, with a heart full of faith and contrition." Miss Hamilton knelt down and prayed, and, the czar having turned aside, she was beheaded.

It is well known that the Czar Iwan Wassilowitsch the Second is generally represented as a cruel tyrant, and that historians and biographers have heaped the most odious titles on his memory. Peter the Great formed a very different judgment of that prince. He often said in conversation that he deserved the name of Great, and brought proofs to justify his panegyric. On the following occasion he avowed his opinion publicly. At the illumination of the city of Moscow, on account of the peace with Sweden, in 1721, the Duke of Holstein, afterwards the czar's son-in-law, erected a triumphal arch of coloured lamps before his palace. On one side, Peter the Great was seen in a car, and, on the other, the Emperor Iwan Wassilowitsch, who formed the vast empire of Russia out of a number of small principalities, was represented with a shield emblazoned with the arms of the petty princes whom he had subdued. Peter the Great had also a shield, ornamented with those of the provinces he had conquered. This idea did not please the multitude: many critics pronounced it an egregious blunder to couple a prince, considered as a barbarous tyrant, with an emperor to whom the senate had decreed the title of father of his country. Peter, walking that evening to enjoy the sight of the different illuminations, when he came to the duke's residence, examined attentively the two compartments of the triumphal arch, and conceived at once the sense that was intended to be conveyed. At the same instant the Duke of Holstein advanced to salute His Majesty, and thank him for honouring that quarter of the town with his presence. He also apologized for not having done better, which he attributed to the short notice given, and the want of painters. The czar, who was highly pleased with the transparencies, embraced the duke, and told him, in the hearing of every one present, that he had seen nothing so happily invented, so well executed in Moscow. "The ideas of your Highness," said he, "correspond wonderfully with mine. This prince was my forerunner and

model. I have always endeavoured to imitate his bravery and the wisdom of his government, but I am far from being his equal. He can be called a tyrant by none but men of weak minds, who neither know the circumstances in which he was placed, the nation he governed, nor the vigour of his capacity and the exactitude of his judgment."

After the peace of 1721, which terminated the war between Russia and Sweden, it became necessary for the czar to send a minister to Stockholm. He chose for this employment Michaila Petrowitsch Bestouscheff, afterwards lord marshal of the court, in the reign of the Empress Elizabeth, and ordered him to come at four o'clock in the morning, to receive his last instructions. He was likewise ordered to apply to Andrew Iwanowitsch Ostermann for those of the council of state, to bring them with him at his return, and, above all, not to forget his tablets.

M. Bestouscheff, on his return from court, went immediately to M. Ostermann, and communicated to him the imperial orders. That gentleman gave him his instructions, which they perused together, article by article. As it was already ten o'clock, Ostermann told Bestouscheff, that it was not worth while to go to bed, as they were to wait on the emperor at four in the morning. They, therefore, joined a party of friends, and passed the rest of the night with great gaiety. At half-past three, they repaired to the czar's antichamber, where they found no one but the attendant in waiting, who told them that the czar had been half an hour awake, but he refused to announce them before the appointed time. Precisely at four o'clock, the emperor, being informed that they were come, ordered them to be admitted, received them, as usual, in a friendly manner, and asked them what was the hour. On hearing it had just struck four, he said it was well. He then asked Count Ostermann, if he had delivered the instructions to Bestouscheff, and if he had looked them over with him. "Have you read them?" said he to Bestouscheff, "do you understand them, and have you no further questions to ask relatively to their contents?" Bestouscheff answering that he understood them perfectly, the czar asked him several difficult questions, and was fully satisfied with his answers. "It is well," said he, "you know what to do, and what to avoid, in the name, and for the advantage, of my empire; now take your tablets, and write down my own commissions and private instructions, that they may not escape your memory."

He then gave him a list of the different things he wanted from Sweden, and the neighbouring countries, desiring him, in the first place, to send him a number of good workmen; such as gardeners and farmers, woodmen, carpenters, masons, locksmiths, and, above all, some good armourers, well skilled in making locks for muskets, and springs in general, brass founders, and others. When he had finished dictating, he desired Bestouscheff to read what he had written, that he might be sure nothing was forgotten. "You will make your reports," he added, "to the council of state, as far as relates to the instructions you have received from them; but in regard to the commissions written in your tablets, you will write to me without ceremony, as you may do to any other correspondent, addressing simply to Peter Alexiewitsch. Farewell, I wish you a pleasant journey: fulfil the duties of your appointment faithfully, and with all the diligence you can. If you behave as I wish, be assured that I will take care of your interests; but, if you deceive my expectations, you may depend upon it, that you will have in me as implacable an enemy, as you have now a truly affectionate friend."

Peter loved his country, and, in all his projects, had the good of his country so much at heart, that the greatest faults, and even crimes, if occasioned by an excess of patriotism, not only found him an indulgent judge, but likewise obtained his thanks and reward. When he began the canal of Lodoga, he ordered all the landholders of the governments of Novogorod and Petersburg to send their peasants to work on it, and signed an ukase to that effect in full senate. Prince Jacob Feodowitsch Dolgorucki, one of the principal senators, and a man in whom the czar placed great confidence, was not present when the ordinance was registered, being employed that day on other business of state. The following day the senate assembled, and were proceeding to the publication of the ukase, when Dolgorucki, who was ignorant of what had passed, made inquiry into the matter. The registers were presented to him, and he found therein an order to send the peasants of the governments of Novogorod and Petersburg to dig the canal of Lodoga. "No," cried he, "this is not possible; representations must be made to the emperor, or these provinces, which have already suffered so much, will be ruined past redemption." After saying this, Dolgorucki, transported by his zeal for the poor peasants, prepared to tear the ordinance. It was vainly represented to him, that it was too late to make any opposition, or to propose modifications, as the emperor had already signed it. Notwithstanding that argument, his patriotism got the better of his prudence, and he tore the edict, to the great consternation of the senate.

The whole assembly arose full of alarm, and asked him if he knew what he had done, what he had exposed himself to, and the misfortunes that threatened him? "Yes," he replied, "I am well aware of my conduct, and I will answer for it before God, the emperor, and my country." At this moment the czar made his appearance. Surprised at the exclamations he had heard, and astonished to see the whole senate standing, he asked what had happened? The attorney general trembled while he told him that the ordinance which he had signed the day before had been torn to pieces by Dolgorucki. Peter turned to that prince, and asked him with much warmth, what had induced him to oppose his authority in so unheard of a manner. "My zeal for your honour, and the good of your subjects," replied the intrepid senator. "Do not be angry, Peter Alexiewitsch, that I have too much confidence in your wisdom to think you wish, like Charles the Twelfth, to desolate your country. Your ordinance is inconsiderate, and you have not reflected on the situation of the two governments it regards. Do you not know that they have suffered more in the war than all the provinces of your empire together; that many of their inhabitants have perished; and are you unacquainted with the present miserable state of the people? What is there to hinder you taking a small number of men from each province to dig this canal, which is certainly required? The other provinces are more populous than the two in question, and can easily furnish you with labourers, or, at least, without suffering the same difficulties as the provinces of Novogorod and Petersburg alone. Besides, have you not Swedish prisoners enough to employ, without oppressing your subjects with works like these?"

The czar listened to this remonstrance with great attention and tranquillity, and, convinced of its justice, turned to the senators, and said:—"Let the publication of the ukase be suspended; I will consider further of this matter, and let you know my intentions."

Here the affair dropped. Peter took other means to cut the canal of Lodoga, and, without doubt, following the idea of Dolgorucki, ordered some thousands of Swedish prisoners to work there, almost all of whom perished in that laborious and unhealthy employment.

Peter, having brought the Swedish war to a glorious conclusion, determined to avail himself of the troubles in Persia, and march against the sophi. He disclosed his design to no one but the empress, and his favourite, Menzikoff. "I have intrusted my secret," said he, "to none but you, and I forbid you to speak of it to any person."

Some days afterwards, being alone with one of the grooms of his chamber, and meditating on the means necessary to give full effect to his project, he asked if there were any news? "None, sire, except that we are going to march against the Persians." "What!" exclaimed the emperor with surprise, "march against the Persians? Tell me immediately from whom you have had that falsity." "From the empress's parrot, sire: I heard it yesterday, while I was in the antichamber, repeat several times, we will march into Persia."

Peter sent immediately for Prince Menzikoff to attend him to the apartment of the empress, and told them, that, as the secret he had entrusted to them was divulged, he insisted on knowing to whom they had mentioned it. Catharine and Menzikoff protested they had not opened their mouths on the subject. The czar, convinced of their innocence, turned towards the parrot. "There," said he, "is the traitor; one of the grooms of the chamber has denounced him. In our conversation we frequently said, we will march to Persia, and the rogue has remembered and repeated it. You must remove him from this apartment, for it is necessary that we should be on our guard against traitors and babblers."

The czar had the weakness incident almost to every hero; he was passionately fond of the fair sex. Being one day at dinner at a foreign merchant's, whose daughter was very beautiful, he fell violently in love and pressed her to make a return of his passion. But the young lady, as virtuous as beautiful, firmly refused the most alluring offers, yet dreading his solicitations, she resolved to leave Moscow by night, without acquainting her parents. Taking some provisions, and a little money with her, she travelled several miles on foot, and at last reached a small village, the abode of her nurse. She discovered herself to her foster-sister, whom she informed of her desire to remain in concealment. Her nurse's husband, a carpenter by trade, conducted her to a neighbouring wood, where, on a little rising ground, surrounded by a morass, he hastily built a hut for her residence.

The day after her flight, the czar sent for her parents, who were inconsolable for her loss. He, at first, thought it a concerted scheme, but the violence of their grief undeceived him, and he promised a large reward to any one who discovered the fugitive; all search, however, was vain, and her parents went into mourning. A year afterwards, an accident, rather uncommon, disclosed her retreat. A colonel, who was absent from his regiment on leave, made his way into the middle of the wood in pursuit of game, came to the morass, and saw the lady. Struck by her beauty, he immediately became enamoured of her, and after a few questions, found that she was the person whose sudden disappearance had caused so much noise. He consoled her by telling her, that the czar's heart was elsewhere engaged; he offered to wait on her parents, and concert with

them the means of removing her from her solitary abode. She consented to his proposal, and accepted his assistance with gratitude, that led the way to softer sentiments. Her parents, overjoyed at finding their daughter, determined to apply to Mrs. Catharine; for this was the name then given to the celebrated woman whom Peter afterwards placed on the throne.

Catharine spoke to the czar, and represented, in such lively colours, all that a delicate girl must have suffered, shut up for a whole year in a hut in the midst of a morass, that he was deeply affected, reproached himself severely with the pain he had given her, and determined to make her amends. He desired to see her, her parents, and her deliverer; to the last of whom he himself presented her in marriage. "Receive from my hand," said he, "the most amiable and virtuous of women; I settle upon her and her heirs three thousand roubles per annum." This excellent lady frequently went to court in full possession of the royal favour, and honoured with the esteem and veneration of the public.

PROOFS AND ILLUSTRATIONS OF THE ATTRIBUTES OF GOD.

By JOHN MAC CULLOCH, M. D., F. R. S., F. L. S., F. G. S., &c.—3 vols. 8vo.

(Concluding Notice.)

In compliance with the expressed wishes of many of our subscribers, we shall make some additional extracts from these invaluable volumes, which will be found as interesting and as instructive as the preceding. We recommend every father of a family to place these three reviews in the hands of his children, being convinced that even these fragments of religious philosophy will give a healthy direction to a youthful mind, and strongly tend to the formation of character. It is indeed an undoubted truth, but one too rarely respected, that the quality of early reading chiefly operates on the opinions of manhood, and if adolescence is wasted on fashionable novels and idle tales of fiction, the vigour of judgment becomes impaired, and the realities of life are lost among the visionary dreams of romance.

We shall make our first selections from the chapter on "Chemistry," which offers proofs and illustrations of natural religion even more copious and wonderful than astronomy, which latter are limited within the comparatively narrow circle of mechanics and dynamics; whereas chemistry is an universal and ever-restless agent eternally engaged in the varied processes of production and decomposition.

"If the celestial motions form the living soul of the extended universe of orbs, far more striking is the living and moving spirit of chemistry, when each element, ever invisible, incommensurable, un conjecturable atom appears to be actuated by a principle of life, even almost to possess a specific life, with an inclination, a will of its own. It is a pardonable, though an inefficient, illustration, to compare these on each side, with the simple act of locomotion in an animal body, and with the millions of motions which pervade every atom of this living mass. Under mechanics, the masses of the sun, the earth, the planets, of suns and planets innumerable, may be considered to live, as they move; but under chemistry, there is not one inappreciable atom in every one of those immense masses throughout the whole universe, which is not ever alive, and ever ready to act, if not acting; implying a mass and a multitude of lives and motions, before which the others seem to shrink into insignificance. And this is chemistry; it is the power of God under the form of chemistry. It is an ever-restless universe of life and motion, in every atom, and, as ever moving, ever changing; a ceaseless round, and under

rules as fixed, or laws as certain, as those which govern the equally unceasing round of the great universe, though we are as yet unable to define them. Complicated as they seem, and ignorant as we are, yet are they no more under the dominion of chance than those of the celestial bodies. If there be an ignorance which could thus conclude, the minutest chemist could inform it, that the rules which he has ascertained are as fixed as the motions of the planets; while it is his pursuit to seek those which he does not yet know, with the unhesitating confidence that when once found they will never deceive him."

"Thus is the solid and insensible earth, as I have already said, alive with motion, teeming with life, the life of chemistry. It was not created as a terminated or complete work, to be the same body, and perform the same offices, as long as it should exist. Much less was it at once finished, to be then abandoned or left to itself. It has never yet been finished, and we know not that it ever will be; though, on other grounds, we can believe that it may be ultimately destroyed, or rendered unfit for its present uses. At every instant, and for ever, under the power and the action of the deity through his great agent chemistry, it is ever active and ever changing, ever under acts of creation; while its changes, as I have formerly shown, tend to a progressive improvement, though under a perpetual vacillation from worse to better and from better to worse again. And here, surely, where His power, His life is, does He abide. For ever regulating, by His immediate presence and will, the mechanics of the earth as a portion of the celestial system, so must He regulate its chemistry; and if it can be inferred that this chemistry pervades equally every globe of the wide universe, then is that power indeed worthy of the elevated station which I have here assigned to it, as His vicegerent throughout creation, jointly with mechanics constituting the two great agents to perform His bidding throughout the infinitude of living space. But it is a greater and more splendid power in His hand; universal ascensifugal motion and gravitation, while its actions are far more multifarious and complicated. The machinery which these might have produced, and which they might solely have regulated, could have been, comparatively, but a dead, and, to our views, a purposeless one; but chemistry inspires it with a living soul, and becomes also the instrument, in myriads of beings, of that life without which we can see no purpose in the celestial universe."

We would gladly extract further from this chapter would our space admit, but we can only find room to observe that Dr. MacCulloch has placed this subject in an original light, and supplied a deficiency left by all preceding writers on natural theology. None of the sciences present such ample proofs and such convincing illustrations of the attributes of God, as chemistry, which is too generally regarded as the art and mystery of a druggist's trade, or as the medium of experiment to amuse an idler.

In treating on the "Mechanical Properties of Matter," Dr. M. observes that he uses the term "mechanical," as it agrees with current phraseology, and it is difficult to substitute another of equivalent import. But the term is more convenient than correct, for it does not embrace those properties of matter which are purely chemical. That power which unites the component parts of matter into a solid, and gives to it the character of oneness, generally called the attraction of cohesion, is not, strictly speaking, *entirely* mechanical, many of the minute attractions depending on chemistry, and it is very plain that the antagonist of cohesion, to wit, repulsion and severance, is chemical, acting under the influence of heat. It is this very difficulty of the subject itself, the general law being open to so many variations and exceptions, that renders it impossible to adopt a definite phraseology, free from all objections. The following remarks on the gravitation and density of bodies are both novel and profound, and will lead the mind into a train of curious reflection:

"The gravitation of a body is in proportion to its quantity of matter; or, on the earth, its weight, or specific gravity, is the measure of the matter which it contains. This sounds like a philosophical fact of some importance; and yet it is merely an identical proposition, as its basis is an assumption. Of matter, abstractedly, we

are utterly ignorant ; under this view, it is, simply, gravitation ; and the quantity is therefore the quantity of gravitation. But the substitution of terms is convenient. It must therefore pass ; yet it must not be allowed to mislead, by pretending to explain that of which it knows nothing. Magnetism is a source of attraction, as gravitation is ; and who is there to maintain, that modes of matter, independent of the quantity of abstract matter, may not possess distinct powers of gravitation ? The attractions of Jupiter and Saturn towards the sun, are much inferior to that of the earth, comparing their relative magnitudes. The answer is, that their densities are less. It is a convenient answer ; but it involves enormous difficulties. But I need not dwell on these fundamental difficulties, which I was nevertheless bound to notice ; there are many more remaining, under questions of detail. If we take the relative weights, or gravitations, of two bodies, such as platina, and silver, for example, we find that, under an equal bulk, the former weighs twice as much as the latter. According to the usual hypothesis, it contains double the quantity of matter in the same space, or is of double the density. This is easily said, as it also suits the hypothesis ; but it leaves the mystery unsolved. To all experience, silver and platina are equally continuous ; and if matter is one thing, how can that fill a greater space and a less one ? while, in resorting to pores, philosophy is inferring from a vulgar fact, which is without any resemblance or analogy, of which it knows. These are the resources of the corpuscularian hypothesis, which, having adopted a fiction, or what, at least it does not know to be a truth, must go on repairing its defects by other fictions. But further, and admitting what this hypothesis demands, that the atoms of matter are inconceivably minute, that they are spheres, if that hypothesis pleases, and that the cube of platina contains twice as many of those as the cube of silver, there is yet much to explain, of which it can give no account, other than that which is, still, a new supposition, or fiction. They adhere into a continuous solid, through the attraction of cohesion ; but why is not that of equal force in both these cases, or why does the silver not become platina ? Repulsion is united to attraction ; it is the same solution as in the analogous case of chemistry ; but if it is a phraseology that sounds well, it is, like all before it, one that will not bear dissection."

Were we to select any particular chapter throughout the range of Dr. M.'s work which has specially delighted us, where all have pleased, it would be that on the "Celestial Mechanism," in which we find the most forcible illustrations of Divine Omnipotence, deduced from weights, magnitudes, and spaces. We shall commence with the first of these three standards :

"The earth seems the most obvious basis of comparison ; but even this is a bulk that we cannot conceive, when we hear that it is eight thousand miles in diameter, and twenty-five thousand in circumference. We must begin at a lower point ; and it is best perhaps to commence by trying to approximate to a conception of its area, first : a square mile is a visible area ; the earth contains two hundred million of these. This is an enormous space, when we consider how many common objects, trees, houses, or men, a square mile alone will contain. It is more difficult to find a sufficiently familiar and large cubical standard, whence to rise to some equivalent conception of its solid content. Yet they who have seen a mountain, and read of Teneriffe, can suppose it a cubical mile of rock, since the truth is sufficiently near for the present purpose. And the earth contains 263,858,149,190 such masses : a bulk passing all conception. If, lastly, we take a ton as a tangible standard for its weight, that has been computed at 552,058,033,372,264,229,910, assuming its specific gravity at five thousand ounces for the foot cubic : a sum which, from the unavoidable smallness of the standard, is quite incomprehensible. This is an immense mass of matter to produce and collect and shape ; but it is still so small, that it almost vanishes when brought near to what the solar system alone must contain. I may omit the moon altogether in this estimate, as an inappreciable quantity ; and when a globe of two thousand one hundred and eighty miles in diameter, would be as little missed out of the collected matter of the system as among the figures by which that must be expressed, it is this very nothingness which conveys the strongest impression of the enormous contents of even this limited collection of spheres. All the eighteen moons might indeed be equally omitted, with thousands more such, were we to contemplate the great collection of suns and systems to which our own belongs ; for they would not be as the heads of many pins in the bulk of our own earth. Compared to the sun only, our earth is as a cricket ball in the mass of an Egyptian pyramid ; a neglected, if not

an insensible, object in such a place. I use familiar references, not numerically true comparisons; for the effect is equal, and it is the effect that is desired."

"I may attempt to convey an impression of the space of our own system, in the same manner, as a basis for that utterly unassignable and incomprehensible one which the visible universe occupies. The distance of the moon from ourselves is the smallest appreciable measure which I can here use as the standard of comparison; and that distance is two hundred and forty thousand miles; it is six hundred times the distance between London and Edinburgh. Yet this is almost forgotten when we reflect that our distance from the sun is ninety-five million of miles; and it is scarcely a sensible quantity in the one million eight hundred thousand which intervene between the Sun and Uranus. And even this is but half the diameter of the circle which bounds this planetary area; while he who desires to know what that area is, may compute it in two minutes, as he ought, that he may feel what it is. These distances, this space, has long passed all comprehension, under the standard from which I commenced. We must attempt to conceive the greater ones through motion and time. The motion of a cannon ball is the usual standard of comparison in this case, and it is the best that we can produce. The initial velocity, for even a second, is seldom a thousand miles in an hour, but taking this as a convenient round number for the whole, it would require more than four hundred years for such a ball to traverse the diameter of the circle in question. If this is an incomprehensible space, it is as nothing to that which our system must occupy, did we add but the cometary ranges, and not all of the incredible vacuity which lies between the solar machine and the next in place of those which unite to form the entire celestial mechanism."

Our author then proceeds to other facts connected with the questions of space and matter, which we can only glance at. *Lyra* is considered to be the central sun of the system nearest to our own, and its diameter is estimated to be three times that of our sun: this makes 2,659,000,000 miles, or three fourths of the orbit of *Uranus*. Even this shrinks the earth into a non entity; but we must go further. A thousand stars may be seen by the naked eye, and one hundred millions by the telescope: to these must be added the countless nebulae, and the myriads of stars and systems which constitute the *Milky Way*. Here, then, the mind is lost in wonder at the magnitude of the creation; but could we, by an effort of the imagination, fancy ourselves placed at the extremity of the *Milky Way*, can we suppose that we should have reached the verge of the divine kingdom? Far from it; we should only behold another succession of globes, obedient to God's will and power. And yet there are people, and conscientious ones too, though narrow minded, who think our planet all, and man every thing, and that with our earth and our being God alone is concerned; though were both blotted out of creation, neither would be missed.

Another momentous view of the celestial mechanism remains to be noticed. The reader has now formed some idea of the mass of matter and the immensity of space; he should now reflect on the nature of the power necessary to move this matter round that general centre of gravitation which exists in every system. The following extract from Dr. M's work will give a forcible illustration of this subject:

"We have a conception of our own force in throwing a ball; how small a weight is all that we can move, and with how small a velocity? By the greatest force that we can use, the elasticity of air, we can project an iron ball of fifty or a hundred pounds in weight, with a velocity which I may again assume at a thousand miles in an hour. But in the same time, the earth moves sixty-eight thousand; it is like a cannon ball of the enormous weight which I have already stated, moving with sixty-eight times the velocity. To our minds, a second is so short an interval, that the ball is almost at both the extremities of four hundred yards at the same instant. But the earth is at both ends of a distance of twenty miles in that moment; or, if we could see it move, we should see it almost at once, at London and at Windsor. If such a weight, moving with such a velocity, is

scarcely to be conceived, what then was the power of the hand which projected it. The utmost force of gunpowder is a zephyr. Yet this is nothing. Such is the velocity of Mercury, that it would almost make the entire circuit of the earth in a quarter of an hour: the journey from New South Wales to London in five minutes. Can we fancy a cannon ball as large as the moon fired to the Cape of Good Hope, in five minutes? but it is almost indifferent what magnitudes or velocities we take, for all is equally surpassing conception. Jupiter is equal in weight to one thousand four hundred earths, and its velocity is twenty-nine thousand miles in an hour. This mass, He spanned it in the hollow of His hand, and He launched it with that velocity. Thus has the Psalmist taught us to speak. But His word, His will, performed all this, and more. To that mass of matter He said, "Fly thus, and it flew."

We pity the man who can read these extracts, without feeling an increased reverence towards the Governor of the Universe; and yet we may add one remark on comets, the velocity of each of which has been estimated at 880,000 miles in an hour: it is one that would carry a cometary mass from London to York in a single beat of the pulse. The brain whirls, and grows dizzy, with these astounding proofs of Omnipotence. What a lesson for human pride!

Dr. M. believes in a plurality of inhabited worlds. He is, however, wrong in supposing that he is the first author who has attempted to assign reasons for this belief. Wolfius, the learned commentator on Leibnitz, has preceded our author in these speculations, and has founded his system on the very same fundamental ideas, though this does not diminish the merit of Dr. M. who most probably never read the books of Wolfius. Our author thus furnishes the grounds of his judgment on this question:

"Light being universal, its uses must be similar to all animated beings throughout the solar system, in the first place, and therefore also, throughout the universe: as, further, without vision, we cannot conceive an animal connected with any objects around it that are not in contact. Hence, therefore, we may commence by inferring similar organs of vision: eyes. There are other planets in our own system which possess atmospheres; while, knowing that chemistry is universal, we may infer this arrangement far more widely, if not universally. Here are implied lungs of some kind, and, with those, a circulation; as, by consequence, a fundamental structure not essentially differing from those which we know. The equal consequence, if this view be just, must be a supply of food, and thence, plants; as, in variety of surface and exposure to the sun, is implied a variety of those; a vegetable creation under a general analogy of our own, however differing in the particulars. And on this subject, the following fact is also deserving of notice. Such is the law of internal attraction in a sphere, that in Jupiter, though so far exceeding the earth in bulk and gravitating power, the force of attraction at the surface exceeds that on the earth by less than one and a half only, while in Saturn it is but one quarter greater. It is plain, that very slight variations in tenacity and muscular power, would form perfect compensations in both cases; as, in the latter, the needful difference would be far less than occurs between hundreds of different animals among ourselves. Any one can easily pursue these conjectures further than I shall here endeavour; in concluding for example, that an atmosphere implies birds, and water, fishes."

Wolfius proceeds much further than this, and though we have not space sufficient to enter fully on his system, we are tempted to lay before our readers his speculations on the stature of the inhabitants of the other planets. Basing his argument, as Dr. M. does, on the universality of light, he takes the eye as the standard from which to deduce the other proportions of the body, and he makes the size of the pupil depend on the quantity of light that it receives. Now, Mars, Jupiter, and Saturn, respectively take two, twelve, and thirty of our years to make one revolution round the sun, on account of their distances from the central luminary; therefore they receive similarly less proportions of light, and consequently the pupils of the eyes of those who inhabit them must be

proportionally larger ; and these, by the hypothesis, determine the stature. To get rid of fractions, assume the average height of the inhabitants of the earth to be six feet : then the average height in Mars would be twelve feet ; in Jupiter, seventy-two feet ; and in Saturn, one hundred and eighty feet. Such a statement may be laughed at as ridiculous ; but it is a fair inference from premises not to be denied ; and enough has been shown to demonstrate that these gigantic races, enormous as they are to us, would be mere pygmies in the scale of immeasurable Power.

We are obliged to pass over the chapters on Final Causes,—on the Feeding of Animals, and the replenishment of the earth by them and plants—on the uses of animals, and of vegetable and inorganic substances to man, as well as those which discourse on the pleasures derived by man from the five senses. We can merely state that these subjects are treated of in the same masterly style that distinguishes the other parts of these volumes, and they will amply repay a diligent study. We proceed to the chapter which embraces the questions of sensibility, insensibility to pain, in the lower animals, general question of pain, and system of prey.

The problem of good and evil has not yet been solved by philosophy, although, so far as philosophy can reach, the arguments on both sides seem exhausted. Revelation assures us of a resurrection, and a future state, where the balance will be finally adjusted, and in that faith the wise man rests content. Let those who have never yet essayed the method of experimental reasoning, begin the inquiry ; and, sure we are, that they will agree with their predecessors in acknowledging that an ulterior state of existence is absolutely required to reconcile the benevolence with the omniscience of the Deity. We say that it is required by reason ; we know that it is promised by revelation ; the fact cannot be considered as a *verata questio* either by men of sense, or men of piety.

Dr. M. gives many instances to show that the lower animals do not feel that degree of pain which we are apt to imagine. We shall throw together the instances he cites, as that will enable us to compress his facts within a smaller compass. This is merely for convenience, for the facts belong to him, not to us. The leech continues to feed after losing the lower part of his body ; the earth worm admits of mutilation, without destruction, or suffering, as it is also insensible to pain on a fish-hook. Crabs possess the power of throwing off their legs, the younger, even their large claws, when pursued. If an impaled insect escapes, it acts as before impalement, and the beetles will walk just as they did, after all the *viscera* have been removed. Most of this tribe continue to walk, after their heads are removed. The tipulæ fly about, after having lost half their legs. The head of the wasp will bite, and the abdomen sting, after these parts are separated ; spiders may be torn to pieces, or roasted, without showing any signs of motion. Ichneumons lay their eggs in the bodies of living caterpillars. The insects which live in the boiling springs of Italy, cannot have nerves of touch. The same may be said of the scaly fishes. Where pike and perch reside together, the latter are often seen with large portions of their backs bitten off. The eel does not feel pain, when skinned, any more than the decapitated turtle. Rats gnaw off their tails, and even their legs, to escape from traps ; and this is equally true of foxes. The hyæna devours its own limbs. Let these examples suffice ; they show the benevolence of God in depriving the lower animals of that acute sensibility which man possesses.

Dr. M. remarks that, in man, the skin is peculiarly sensitive ; the

puncture of a pin, however slight, creates instant alarm. Why is this? because the skin is the outward covering of the body, the vital organs being in the interior, and it acts as a sentry to the garrison. In this arrangement, the design is evidently benevolent, for if the skin did not at once announce the presence of danger, how rapidly death would ensue from external injuries not causing a protecting sense of pain.

Into the system of prey, we have not space to enter, for we do not think it can be properly exhibited in all its bearings, without embracing the subject of geology. It involves the progressive changes of the earth, as a habitation for life, in all its varied forms. For example; had there been no check to the multiplication of the herbivorous races, they would have rendered the earth barren, not leaving a blade of grass on the surface; the creation of the carnivorous races prevented this result; for which we may learn that if the tiger devours a rabbit, it is an act of divine goodness. This hint must suffice; every one can extend it; though, we may in a future number, write an article, in which geology will be made to bear on the system of prey.

We must now take our leave, though reluctantly, of these instructive volumes, invaluable to science, and worthy of taking a prominent place in the library of every scholar. Whoever circulates the truths advanced by Dr. M. will serve the cause of virtue and genuine religion; and we should rejoice if this work were made the subject of a series of lectures at every Mechanic's Institution throughout the kingdom.

THE ROMAN DE ROU.—No 11.

(Continued from page 33.)

WILLIAM was amusing himself with archery in the park of Quevilly, when a messenger arrived from England, announcing that Harold had seized the throne. This intelligence rendered him thoughtful and gloomy; he spoke to none, nor did any one dare to speak to him. This silence was at length interrupted by William of Breteuil, the duke's senechal, who told him that the news was public, and could not be concealed from the Normans, while, at the same time, he exhorted him to assert his right by force of arms. This advice accorded perfectly well with the views and wishes of the duke, who dispatched a messenger to Harold, summoning him to observe the promise that he had made to him in Normandy; but the English prince determined to hold what he had gained, and forthwith expelled all the Normans, who had enjoyed the protection of Edward, out of his dominions.

William now determined on the celebrated invasion, and convened an assembly of his chief barons, to demand their assistance. Wace here mentions the names of the principal nobles, Roger de Montgomeri, Walter Giffard, and others, and among them Rogier de Vilers, from whom the modern family of De Veuille are said to be descended, among whom is the present Bailiff of Jersey. But this is an error. The true name is Roger de Vielles, a derivative from the Latin words "*De Vetulis*." Vielles is a small village adjoining to Beaumont, where this family was established from time immemorial. This first interview was followed by another much more numerously attended, which William of Malmesbury says was held at Lillebonne. The plan of the duke was violently opposed; though he was warmly supported by his

senechal, William de Breteuil, and his friends. Those who dissented from the policy of this transmarine expedition, denied the right of the duke to require their services beyond the sea, of which element they seemed to have been greatly afraid. After much dispute, the barons agreed to appoint William de Breteuil, their common representative and spokesman, and he, profiting by this confidence, made the most lavish offers of assistance, in their joint names, to the duke, declaring that those who furnished twenty men at arms for a land campaign, would furnish forty for the English expedition, and so on, in proportion. The barons were astonished and incensed at the liberality of these concessions, and openly protested against them. The position of William was critical, but he extricated himself with great dexterity. Finding it impossible to carry his point, so long as the barons deliberated in a public assembly, he had private interviews with each of them in turn, and accepted as a favour, what he could neither have claimed nor enforced as a right. A record was drawn up of the free gifts of each, and an appeal was publicly made to the knights of Poitou and Brittany to join the ducal standard. An invitation was also given to those whom Wace calls "soldéirs," by which we must understand those military adventurers who depended on no particular sovereign, but who lent their swords to those who paid them best, or enlisted where the finest prospect of plunder presented itself. They were of the same character as the "condottieri," or trained bands of Italy.

The Duke of Normandy next applied to King Philip of France for auxiliary troops, but these were refused by an assembly of the French barons, which caused the duke considerable irritation. He next applied to the Count of Flanders, who, before giving any answer, desired to know what share of England would be allotted to him, if the expedition proved successful. William replied that he could not fix the compensation without the consent of his barons, but he took up a piece of parchment, and affixed his seal to the bottom, saying that it should be returned with the blank filled up. When the Count of Flanders received it back, it was still in blank, by which he understood that he was not to receive any thing. This is the account of Wace, but it is not correct. The Count of Flanders did not accompany the expedition in person; but he rendered all the assistance in his power, and received a very ample reward. The count was Baldwin the Fifth, whose daughter William had married.

The duke, however, did not limit his applications to temporal princes. The authority of the pope was then omnipotent, and he sent ecclesiastical ambassadors to Rome to obtain the pontifical blessing on his arms, which he readily obtained, on promising that he would hold his conquest as a fief from St. Peter. His holiness sent William a consecrated banner and divers holy relics, as a guarantee and earnest of victory; these, and the appearance of a comet at that time, which ancient superstition regarded as the herald of a new king for England, inspired the Normans and their prince with the highest enthusiasm. Vast numbers flocked to his standard, the vassals being attracted by the promise of money, the barons being encouraged by the prospect of holding large fiefs in England. The general rendezvous was appointed at Saint Valeray sur Somme.

Wace next describes the exertions made to equip a fleet for crossing the Channel. Very conflicting statements have been put forward as to

the number of vessels composing this naval armament. William of Poitiers and William of Jumieges declare that there were three thousand; but if this be true, it must include the barges towed by the ships, the barges holding the horses and military stores. The Chronicle of Normandy says, that there were nine hundred and seven large vessels, *sans li menu vaisselin*, without including the small craft, which we take to be barges without masts. Wace states on the authority of his father, who was living at the time, that there were then six hundred and nine sailed from St. Valery, and this corresponds with the detailed list of those furnished by the principal Norman barons. The expedition was detained a long time by contrary winds, but after the priests had prayed to St. Valery, the patron of the harbour, a propitious breeze sprung up, and on the 29th of September, 1066, the day of the festival of St. Michael, the fleet put to sea. The debarkation was effected at Pevensey, near to Hastings, without any opposition. The archers landed first, then the knights, then the carpenters. A camp was immediately formed, and fortified with timber. When the duke landed, he fell on his hands, but, fearful that this accident might be construed into a bad omen, he, with admirable presence of mind, scraped up some of the sand, and holding up his hands, exclaimed, "Thus do I seize my lawful inheritance." He then ordered his fleet to be burned, resolved to conquer or die, and thus rendering all retreat hopeless, if defeated—a desperate expedient, but well calculated to inspire his troops with the most resolute courage.

Harold was at this time in the north of England, opposing his brother Tostig, who had landed there with an army of Norwegians, and over whom he gained a complete victory at Pontefract, in Yorkshire, in which battle Tostig was slain. The English prince was thus taken at a disadvantage, and deeply regretted that he had not been able to oppose the debarkation of the Norman army. He hastened forward to London, and there reviewed his forces. Shortly after his arrival, a messenger was dispatched from the camp of William, who reproached Harold so bitterly for not keeping faith with the duke, that he narrowly escaped with his life. His name was Hugh Margot, a monk of the abbey of Fechamp. Harold then sent a messenger to William, who stated that any promise given by Harold in Normandy was not binding, because he was then a prisoner, and not a free agent; that he would furnish ships to take the duke and his followers back to their own country, and give him a present of money to defray some of the expense incurred by his expedition. William answered, that he came not for gold, but for land, given to him by Edward the Confessor, and guaranteed by the oath of Harold. The messenger replied that the duke asked too much, and that his master would fight him on the following Saturday. He then took his leave, after receiving a present from William. These two embassies are very differently related by William of Poitiers, a contemporary historian, who was probably better acquainted with the facts than Wace, who lived a century later. The reader who desires more minute details may consult *Gesta Gulielmi Ducis apud Duchesne*, p. 199-201.

War being now inevitable, Gurth, brother of Harold, proposes that he should attack William, while Harold should lay waste the surrounding country; but this proposition Harold rejected, nobly declaring, that where danger was, he would be present, and that it would be

unworthy of him to burn the houses or ravage the lands of his own subjects. They then marched to Hastings, where the English entrench themselves on the spot now called Battle Abbey, the estate of the present Webster family, on which the duke, after his victory, founded an abbey, which he dedicated to the Holy Trinity, and gave up to the monks of Saint Martin de Tours.

The two armies passed the night in mutual alarm, and at the dawn of day the English princes beheld the enemy. Wace here states that Harold was so frightened that he proposed retreating to London; that Gurth reproached him for his cowardice, and was so incensed as to threaten to strike him. This is not credible. Harold had given many proofs of his courage; and such conduct, as is here imputed, contradicts what Wace had just before affirmed, that Harold refused the proposal of Gurth, who wished to attack the Normans alone.

Harold sent two spies into the camp of William, who were detected, but the duke, instead of punishing or detaining them, showed them all his arrangements, and gave them their liberty. On their return, one of these emissaries reported that the Normans were mostly priests, because their beards were shaved, for the English in those days, except the clergy, wore enormous mustachios. This difference in costume is distinctly marked in the famous tapestry of Bayeux, of which we have given a full report in a former volume of this Magazine: and this curious mistake of the English spies is corroborated by William of Malmesbury.*

William now sent another messenger to Harold, giving him the option of one of these three alternatives. Either to surrender England and take his daughter in marriage; or to refer their respective claims to the pope and cardinals; or to decide the dispute by single combat; all of which, says Wace, Harold refused. William of Poitiers does not speak of these three propositions, but only of the last, pretending that it filled Harold with the most lively alarm. This censure is quite unworthy of credit, when directed against a man of his recognized valour, though the recollection of his having sworn on holy relics, a most solemn adjuration in those days, might have unnerved his manhood; but though he might have dreaded the malediction of heaven, most assuredly he stood in no fear of the sword of William, to whom he was fully equal in personal courage.

These overtures being rejected, the duke assembled his barons, and it was resolved to send another messenger to Harold, demanding a personal interview between him and the duke. Gurth received the envoy, and flatly refused to allow his brother even to listen to the offer, but desired the messenger to return, if he had any new propositions to make. He did return, and announced to the English, that Harold and all his adherents were excommunicated by the pope. In those days of superstition, this intelligence produced a most alarming effect, for the soldier, who would have intrepidly defied the blow of a battle-axe, quailed beneath the consequences of a sacerdotal anathema. Gurth, however, had sufficient tact to neutralize the threat of his holiness, and

* Illi serio addiderunt pene omnes in exercitu illu presbyteros videri, quod totam faciem, com utroque labro rasam, haberent. Angli enim superius labrum pilis incessanter fructificantibus intonsum dimittunt. . . . subrisit rex fatultatem referentium, lepido insecutus cachinno, quia non essent presbyteri, sed miffites armis validi, animis invicti. (Will. Malm. 111.)

the speech attributed to him by Wace is an excellent specimen of practical eloquence. "Fellow-countrymen," said Gurth, "if the Duke of Normandy were not afraid of our battle-axes, he would not seek to blunt them by a papal anathema: if he had confidence in his knights and barons, he would not trouble us with messengers and negociators. Would he offer us the land beyond the Humber, if he did not now tremble for the results of his rash expedition? Would he parley, and offer a compromise, if he felt strong in the justice of his cause. Let us not be the dupes of his artifice. Were we to give him all the lands of England, except the country north of the Humber, he would attack us at the most convenient opportunity. He has already promised your estates and houses to his followers: he will not leave an acre of your native soil to you, or your children: will you then go begging your bread on a foreign shore, or will you defend your lawful rights with your swords?"

This speech had more effect than the menace of excommunication, and the English army determined to resist the Norman invaders to the last extremity. Enthusiasm reigned through the camp, and every preparation was made for the decisive battle, the particulars of which Wace has described in most minute detail, but we must reserve his statement for our next number. *(To be continued.)*

MOULIN HUET BAY.

AN ODE.

Moulin Huet Vale is dark and steep,—
 Moulin Huet Bay is broad and deep,—
 In crystal blue its waters sleep,
 And through the glassy tide
 The finny tribes of ocean glide,
 And sea-birds o'er its surface sweep:
 High on the mountains' aerial flanks
 Their nests the hawks and ravens keep,
 Whilst lower, on the grassy banks,
 In silence browse the gentle sheep;
 And may be too a sprightlier goat
 Climbs nimbly up some pinnacle,
 From whose brow oft the village maid,
 As she descends her kin to aid,
 (Returned from fisheries remote)
 Forsaking thus the fruitful dell,
 The spreading fig's luxuriant shade,
 Marks with her eyes on ocean staid
 The dim and distant boat.

Now we will seek yon rocky brow
 From which those men just disappear,—
 And what, thou mightest ask me now,
 Incites them o'er those heights of fear?—
 Thou who hast seen in other lands
 The hardy cragsmen scale the face
 Of cliffs, where nor their rugged hands,
 Nor feet, could find a resting place,
 And thundering seas beneath them boil;—
 But then the prize rewards the toil;
 High o'er the eddying surges swung,—
 The eagle's plumes—the eagle's young.
 But, oh! how different here,
 A wretched weed their only spoil,
 The dark green, glossy *perceperrie*.*

* *Samphire.*

"Be the theme, the lofty words,
 As we tune the lyre again,
 Be the strain such as accords
 Nature's own majestic reign.
 Shall the song with mimic blaze
 Bid Britannia's thunders lour,
 Gallant France's conquering power,
 Or some lay of ancient days,
 When the Norman, happy hour!
 Blessed alike in field and tower,
 Over Gallia's prostrate plains,
 England's blood-stained Saxon reigas
 Stood the peerless conqueror.—
 Feeble in these ocean-isles
 Where prolonged summer smiles,
 We are now his sole remains."

Glorious theme! but still not such
 As should wake this solitude;
 Hath not war been sung too much,
 Grim and gorged with human food:
 Here upon her mountain-throne,
 Nature's praise should swell alone,
 "When gold and purple tints proclaim
 On Owen's hill the King of Fire,
 And seas, reflecting back the flame
 To emulate his blaze aspire;
 And Sargia's heights, in dusky grey,
 Wait for the amorous waves to bear
 To their tall cliffs each glancing ray,
 That longs to sport its radiance there,
 Who could not gaze upon the morn,
 Thus light on rosy pinions borne,
 An earth outstretched—an ocean poured—
 Before it dark and unexplored.
 For aye—it tells of opening life,
 When youth awakes to manhood's strife,
 With toils beset, and dangers rife;
 When hope upon her magic car
 Precedes like yonder Morning Star,
 That shines so brightly from afar,
 And points the onward way:
 But, whither?—Error's mists arise,
 Grief's whelming clouds obscure the skies,
 And veil her radiance as she flies,
 Ere fully dawns the day.

But grant that fickle Fortune smile
 On thee auspiciously awhile;
 And youth's most visionary dreams
 Beneath the sun's absorbing beams
 Should slowly melt, away.
 E'en then 'tis as the aloes' flower,
 So long to bloom,—so quickly over—
 E'en then our noon is swiftly past,—
 The shade's reversed—the die is cast,
 And hastening like the sun amain
 We plunge to western night,—but rise no more again."

"Or evening comes, that genial hour
 Sacred to Love's own influence sweet,
 Beneath whose soft, capricious power
 So many hearts in concert beat;
 When far adown the ocean gone
 The glorious sun retires to sleep,
 And now that all his course is run,
 Pours his last rays on Jerbourg's pillared steep.

As pure and spotless as the flame,
 Etherial spark divine,
 So seldom, seldom, shed by Fame
 Upon their virgin shrine ;
 Who ne'er (their meed or deathless name)
 Did scruple to a people's cause
 Their power to resign,
 Oh ! hadst thou sought a world's applause,
 And changed thy country's outgrown laws,
 Such had, O, BROCK, been thine."

" But life, but power shall fade away,
 And night swift hurries on amain ;
 All that is human shall decay, -
 But nature's monuments remain ;
 As tall yon hills shall stand and frown,
 Yon seas as reckless rave,
 Yon foaming torrents tumble down,
 When we are in the grave !
 And myriads, yet unborn, shall view
 Yon solar orb his track pursue,
 And, (though their glory were forgot,)
 As brightly gild this fairy spot
 That tells of warriors' ruthless coil,
 And links proud Cæsar's * name with DOYLE ;
 For though the theme no minstrel slugs,
 Here once the Roman eagle stood,
 And proudly waved her golden wings,
 Wide stretching o'er the azure flood ;
 Nor waved them alone,
 For bright the imperial banners shone
 Where, from the cliffs opposed, they
 Looked down as proud on Boulay bay."

P.

THE EXTENT OF JAMES THE FIRST.

THIS extent of the revenues, services, hommages, &c., due to his Majesty, the King of England, as Duke of Normandy, in the island of Guernsey, was drawn up by the command of James the First, who appointed to discharge this duty Sir Robert Gardiner, knight, and James Hussey, doctor of laws, and one of the masters in chancery, who acted under a royal commission, dated 25th July, 1607.

A book or rental concerning all the rents, revenues, customs, duties, and services, to be paid and performed to the King's Majesty within the isles of Guernsey, Alderney, Serk, Herm, and Jethou, parcel of His Majesty's possessions of the ancient duchy of Normandy, in regard of the landed possessions and tenures of the inhabitants of the same isles, made for a year, drawn forth, collected, and gathered, as well out of sundry ancient books of receipt, records, rolls, and extents of the said isles, as out of the verdict and presentment of the inhabitants of the several parishes in the said isle of Guernsey, presented and delivered up in the month of November, 1607, by Sir Robert Gardiner, knight, and James Hussey, doctor of the civil law, and one of the masters of the chancery, commissioners appointed for the same, and other causes concerning His Majesty's service and affairs in the said isles, by virtue of his highness' commission under the great seal of England bearing date the 25th day of July, in the year of the reign of our Sovereign Lord James, by the grace of God, King of England, France and Ireland, Defender of the Faith, the Fifth, and of Scotland, the Fortieth, as hereinafter particularly inserted.

ST. PETER'S PORT.

The rents, revenues, duties, customs, and services, belonging or appertaining to the king's Majesty within the precincts of the parish of St. Peter's Port within the said isle, to be paid and performed, at several terms or feasts of the year, as hereinafter, in their several titles and places, more particularly appears.

* Jerbourg.—Cherbourg.—Cæsareburg.

Meslage.—The tenants of the fief-le-roy, in this parish, do owe yearly to his Majesty for the chief rents of their lands belonging to the said fief, for and in the name of *meslage*, according to the ancient extent to be paid at the feast of St. Michael the Archangel only, which they are bound to deliver over yearly to an officer by them to be chosen, called a *granger*, and by him to be paid unto his Majesty's receiver in the discharge of *great measure* of this island, to wit, 38 quarters, 1 bushel, 5 denersels, of wheat, great measure.

Poulage.—Also, there is due yearly to his Majesty's receipt, one couple of hens out of every house being on the said fief-le-roy, in the said parish, except those which are upon the plain and sea banks, that is to say, from the house of the late Jehanet Bodiens to the house of Ranlin le Ganbiens, which in the whole, for the number of two hundred and ten houses now existing upon the said fief does amount unto two hundred and ten couples of hens, and four couples of capons.

Fief of Rozel.—There is also due to his Majesty's receipt by the tenants of fief Rozel for the chief rents of their land in the said parish, which is to be gathered by a *prevôt* to be chosen yearly, and by him, in discharge of the same tenants, to be paid and delivered into the hands of the king's receiver, at their charges, which land owes no campart, for as much as they are charged with two denersels of wheat of chief rent for every vergée amounting to 17 quarters of wheat, small measure.

Ferme or Aide.—Also, for a certain yearly rent, called *ferme* or *aide du roi*, of ancient time reserved and payable to his Majesty at three several feasts or terms of the year, to wit, Easter, St. Paul, and Michaelmas, by equal portions due and payable for one hundred and fourteen bouées of ground lying and being within the said fief-le-roy, in the said parish, which are of ancient time due and payable to his Majesty per annum, rented as in the oldest extent appeareth, and yet continueth £16 0s. 6d.

Brassage.—Also for a yearly rent called *brassage*, that is to say, of every bouée of ground upon the said fee, two deniers tournois, payable at St. Michael the Archangel only; which cometh per annum to 17 sous 8 denr.

Cottilage.—And for a rent called *cottilage*, which is for certain pieces of pasture ground lying upon the sea coast that cannot be properly ploughed, payable at Michaelmas only, as above, 12 sous.

Fief St. Martin.—Also, there is a certain fief belonging to his Majesty, the fief of St. Martin, the lands and rents whereof are partly in this parish, and partly in the parishes of St. Martin and St. Sampson, the grounds of which fee, that is to say, so many as there be in St. Martin's parish, owe campart, which campart has been of late let for twelve écus monnoie: but for the other land houses belonging to the said fief in the parish of St. Peter Port, the tenants thereof are free and answer nothing therefore but their appearance once in the year, when the court of that fee is kept. And so here to be charged but only with rent of the campart of land belonging to this fee in St. Martin's parish, which is, as above stated, valued per annum at 12 écus monnoie.

Fief of Alliers.—There is also due to his Majesty for the rent of a certain fief called *fief des Alliers*, disposed into many parishes of this isle, which being farmed in the last extent of 1582, at eight écus monnoie, is now set by the labour and diligence of Sir Thomas Leighton, knight, now governor of this island, upon due examination had and taken by him of those that owed these rents, at 16 quarters, 2 bushels of wheat, ten sous money.

Sum of all the rents contained in this table.

Wheat.....68 quarters, 3 denersels, great measure.

Money.....59 livres, 8½ sous sterling.

Hens.....210 couples.

Capons.....4 „

Banquage.—This includes rents, contained in six articles, amounting to, per annum, 4 bushels wheat, 4 shillings sterling, 2 deniers tournois. Items not given.

MILLS.

Moulin de Haut.—Of Peter Carey, son and heir of Nicolas Carey, for a water mill in the said parish, called the king's mill of the bridge, which he holds in fee farm, and pays for the same yearly at Michaelmas, only thirty écus monnoie.

Moulin du Milieu.—Of James Oliver and Thomas Oliver, sons and heirs of Martha Enouf, widow, deceased, for the rent of a water mill in the said parish, called the middlemost mill, which the said Martha Enouf lately purchased to her and her heirs, under the broad seal of England, paying yearly at the four several terms, £4. 5s. sterling.

Moulin de la Mer.—Of the heirs of James Beauvoir, Catherine Effart, and their partners, for the rent of another water mill near the sea, anciently due, which John Carey and John Effart lately enjoyed, per annum, 8 écus monnoie.

Moulin de la Vrangue.—Of Peter Mesurier, in the right of the heirs of Peter Beauvoir, for the rent of another water mill called John Harris's mill of the Vrangue, per annum, 18 gros monnoie.

Autre Moulin de la Vrangue.—Of the heirs of Thomas Effart and John Gosselin, for the rent of another water mill at the Vrangue, 8 écus monnoie.

Moulin de l'Hyvreuse.—Of Nicholas Carey, son of Nicholas, for a windmill at l'Hyvreuse, (now called New Ground) per annum, 8 ecus monnoie.

Total rent from these mills. £10. 7s. 10½d. sterling.

BORDAGES.

Bordage Durant.—Of Peter Carey, for the fee farm of a certain bordage called *Le Bordage Durant*, with the ground of the park, except the Bordage Cornet, per annum, 20 shillings sterling.

Bordage Cornet.—Of Nicolas Le Petevin, son of John, for the Bordage Cornet, per annum, 6 gros monnoie.

Bordage Levant.—Of Edmund Effart, in the right of Thomas Le Marchant, son of John, for the Bordage Levant, per annum, 10 shillings sterling.

Bordage Ronge.—Of Peter Beauvoir, son of William, son of John, 1 écu monnoie.

Bordage Troussy.—Of Thomas Beauvoir, in right of his wife, daughter and heiress to John De La Cour, for the Bordage Troussy, per annum, 4 shillings sterling.

Bordage Lamurge or Landry.—Of the heirs of Louis Devick, son of Lawrence, for the Bordage Lamurge at the Vauquedor, with the grounds appertaining to the said Bordage, the rent whereof is to be paid to the executioner of justice by the king's receiver, per annum, 1 bushel of wheat, and 10 gros monnoie.

Notes.—The said *bordiers* with such others as hold of the same ferme as they do in other parishes, do make their personal appearances at every court of Chief Pleas, and are also to attend upon the king's court at the pleas of inheritance, three of them every court day, by turn. And to guard all felons and malefactors at the time of their trials and execution; of which last service some of the said *bordiers* do complain.

Total of the rents of the Bordages. 36s. 4d. stg.; 1 bushel of wheat.

Forfeiture and escheats of lands and rents within this parish in the last extent made A.D. 1582, with some increase since happening. Under this title are comprehended twenty-eight articles, the total sum of which is in rents. Wheat, 5 quarters, 2 bushels, 5½ deners. Money, 30 shillings, 2½ pence sterling. 2 capons and 5 hens.

Rents reserved upon sundry parcels of land lying in the Parish granted in fee farm by virtue of two several commissions issued, A. D. 1582 and 1597, as hereinafter follows.—Under this title are comprehended 22 articles the total sum of which, in rents, is in money £4. 6s. 0d. sterling; 2 couples of capons, 1 couple of hens.

Rents escheated and come to his Majesty's hands by force of an act of parliament, for that they were found by inquisition to be given and bestowed for the maintenance and support of superstition and abuses in this isle.

The sum total of rents comprehended under these articles is, in wheat, 4 quarters, 1 bushel; in money, 14 shillings, 1d. sterling.

DISMES ET CAMPARTS.

The King's Majesty has the tithes of all corn and flax growing throughout this parish, saving that the minister or pastor of the church in this parish is allowed to have and receive out of these tithes the seventh sheaf upon a composition with him made, in regard that the Dismes of the corn of the Desert grown upon the fief-le-roy are taken to his majesty's behoof, which anciently appertained to the pastor or curate of this church, as is more at large contained and expressed in the last extent made A.D. 1582, in the title of Dismes and Camparts.

Albeit the twelve sworn men of this parish in their presentment delivered to his majesty's commissioners in the month of November last, 1607, do declare that no such agreement hath been made with the said pastor by his own confession unto them, he having been reseant and abiding upon his charges in this parish about forty seven years. Also his Majesty takes and receives the twelfth gerbe of all sorts of grain, and the twelfth handful of flax, growing upon the land of the

Fief le Roy in this parish, for and in the name of campart, and the twentieth gerbe upon the whole of the said dismes and camparts, which is called the *poor camp*. All which, for many years past, have been for the most part let from year to year by his Majesty's Receiver to such as would give the greatest rent, which, according to the goodness or unseasonableness of the year is more or less worth. And in some years the said Receiver had caused the said tithes and camparts to be gathered at his majesty's charges. All the said tithes and camparts, which are casual and uncertain, as is before mentioned, were let the last year, as it appears by the Receiver's book, for the sum of £33 sterling.

CUSTOMS AND ANCHORAGE.

Also the king's Majesty has the benefit of the customs of all merchandizes and commodities either bought into this isle by strangers, or brought by them here, and transported into any place whatsoever. And likewise the like profit for the anchorage of all shipping and other vessels that shall arrive and be at anchor in the road or haven of this isle, as is contained and declared at large in the extent. The particular sums for which anchorage and customs due and payable to his Majesty, for the better explanation hereof, as the same are particularly laid down, do hereafter follow.

For the anchorage of a ship above the burden of 60 tons.....	6	8
do between 66 and 40 tons.....	5	0
do bark 40 and 20... ..	2	6
do 20 tons having a boat.....	1	0
do boat.....	0	3

It must be understood that the anchorage having been once paid, and the ship returning by this isle in the self same voyage, before returning to the haven from whence she first departed, doth owe no second anchorage, because it is but one only voyage.

Customs on merchandize transported out of the island into foreign places.

For every Ox hide.....	1	sou	tournois
Cow hide.....	6	dens.	tournois
Calf skins per dozen.....	2	dens.	tournois
Sheep skins per 100.....	4	sous	6 dens
Wool per 100.....	4	sous	6 dens
Horse or Mare.....	4	sous	
A horned beast.....	4	sous	
per dozen of raie fish (skait) per tale.....	9	dens.	

And this custom on raie fish is due as well by the inhabitants as by strangers, when they transport them to sell out of his Majesty's realms and dominions. There is also due for every hundred of mackerel unloaded in the said isle, and sold again to the stranger to transport, as is aforesaid, had been fished between Easter day and Michaelmas, for each hundred 2 denereis tournois. Item for every conger fish of tale transported, as aforesaid 2 denereis tournois. Item for every boat loaded with fish towards the coast of Normandy, or other places out of his Majesty's dominions 2 denereis tournois. Item for every person exercising the trade of fishing for Congers or Mackerel between Easter day and Michaelmas, which custom is called "Le Contz," 3d. sterling per annum. Item and the inhabitants of the said isle ought not, and are not bound to pay any customs for the coming in, or issuing out, of fish, which themselves have gotten at their own adventure, by traffic of merchandize, or by trade of fishing fetched and unloaded in the said isle, be it from Yarmouth, Scotland, Newfoundland, Ireland, or other places out of his Majesty's dominions and realms. But if they shall sell the same to a stranger, to transport out of the isle, the said stranger shall pay customs for the same, as hereafter shall be declared.

Customs of merchandizes bought and unloaded in the isle by strangers.

For every tun of wine, of whatever country, territory, or place, it be.....	5	0
" of spanish oil.....	6	8
" of iron.....	1	8
" of prunes or raisins.....	1	8
For the Fardel of Lamballes, Rombills, or vitry canvass.....	1	8
For the piece of dowlass, cloth of graee, or taquel.....	1	0
For the piece of poldavi, or medrenack.....	0	4
For a piece of little olderam.....	0	2
For a piece of Normandy Canvass.....	0	6
For a thousand of Newfoundland fish, green.....	2	0
" " " dry.....	1	0

And for all other sorts of merchandize unloaded in these isles by strangers not specified before, it is agreed that there shall be paid for them, the third penny of the customs which is paid in the realm of England, according to the book of rates of customs made in the year 1688, the 14th of October. And the said customs shall be paid by the stranger, as well in time of peace as in time of war, and as for the things necessary for the building, edifying, serving to the tillage of the earth or other service, and necessary for the inhabitants of the said isle, which might be brought and unladen in this isle by the stranger, no custom shall be paid.

Item, for all corn or salt brought unto this isle, sold and distributed to the inhabitants of the same by the stranger, in small measure, no custom is due; but selling it in gross, custom must be paid as above.

Item, of all sorts of merchandize whereof the customs at coming in have been paid, no custom is due at the issuing out, although it were a stranger; for it is not lawful that double custom should be paid for one self same merchandize.

Item, of all merchandizes produced or brought out of his Majesty's dominions, and unloaded in this isle, which shall be sold for money, or exchanged for other merchandizes to the inhabitants of the isle, or to strangers or foreigners there, must not be paid any customs at the coming in or issuing out, in any manner whatsoever.

These are the particular articles and orders set down in the last extent for the payment of all manner of duties, or customs, or anchorage, the rent and profit of which may be yearly valued at £40 sterling.

THE ESPERQUERIE, OR SALLERIE OF CONGERS.

Also the king's Majesty hath the benefit of the Esperquerie, or Sallerie, of Congers taken near or about the islands, in the same form and manner as is expressed and declared in this title in the old extent, in the fifth year of king Edward the Third. It is worth sometimes more, at other times less by the year, according to the success of the fishing, and the ready market for the sale thereof, and therefore cannot be set down at any certain rent, the same not being farmed for terms of years; but the benefit thereof is proved upon a bargain or agreement made between the king's receiver, and him who is willing to deal for the same for one term or season of fishing, to wit, between Easter and Michaelmas, and it has yielded in the time of king Edward the Third, about the beginning of his reign, as is declared in an extent made for that time, £66 13s. 4d. sterling. About twenty-five years past, it was farmed at £10 sterling, and during the two last years, by the affirmation of the receiver, it has yielded but the sum of £9 sterling, and therefore it is herein charged, according to the change of time, at only £9 sterling per annum.

WAYFED BEASTS.

To his Majesty do belong all wayfed or strayed beasts which shall be found strayed or taken in this isle by the prévôt, or messiers, between the middle of March and the feast of the Nativity of John the Baptist, as it is mentioned in the old extent, and not reclaimed and withdrawn by them to whom they appertain from the said prévôt and messiers within the time of the said feast, according to the tenor of the said extent, and the continuance of the custom hitherto; the value of which cannot be certainly known, notwithstanding the profit in this behalf is valued in the old extent at fifteen sous tournois.

WRECK AT SEA.

To his Majesty belongeth all wreck at sea, and the *gravage* of all great fishes perished at sea, and taken, or otherwise cast on the shore in the selfsame manner and form as is declared in the old extent, whereof there can be no certain valuation.

THE KING'S WEIGHTS.

There is a house upon the quay, at the east end of the Church in the town, in which the king's weights, (by order of the Lords of the Council,) long since have been placed and established, whither both the inhabitants of the isle, and all strangers, are bound to resort, for weighing of their merchandizes and commodities, the benefit of which money belongeth to his Majesty, and, as now, was of late farmed out to the whole estate of the island, for twenty shillings sterling per annum, to be paid at Michaelmas only.

RENTS OF STRANGERS.

No stranger nor foreigner, born out of the dominions of his Majesty, can, or may inhabit or dwell in the isle without the governor's permission. Those who, for reasonable cause, are licensed by the said governor, for acknowledgment of their fidelity, as inhabitants or dwellers upon his Majesty's land, and under his protection, do pay by the year to his Highness' receiver, according to their state and

quality, some more, some less, rent, which is also casual and uncertain; nevertheless, in the last extent, the profit thereof accruing is esteemed and valued at £10 sterling per annum; but for many years passed, it has not exceeded sixty shillings per annum, by the receiver's confession.

TREIZIEME.

There is due and belonging to his Majesty on the Fief-le-roy, the Fief Rozel, and the Fief St. Martin, within this parish the 13th penny of all sales of any kind of inheritance, as it is at large expressed and declared in the old book of extent; and the buyer is bound to ask leave of his Majesty's receiver before any bargain be finished, upon pain of forfeiting to his Majesty the money of the bargain, of which the value is also uncertain.

FOUAGE OR MONEAGE.

All the tenants and inhabitants on the said Fief le Roy in this parish, (except such as for their qualities are exempted by the law specified in the old extent,) do owe every third year, at Michaelmas only, for a rent or duty called *fouage*, which is for every house keeping fire, 12 deniers tournois. It was originally granted by all the inhabitants of this isle to the Dukes of Normandy, in order that the money then current among them might be continued in payment, according to their values as they then were, and as they were accepted by the French king of the commonalty of Normandy; which duty is to be collected and gathered, as before, by two or three men of every parish, and paid over by them to his Majesty's receiver. It was, the last year, worth, and did yield for this parish, by the confession of the receiver, for the number of 402 houses, the sum of 16 écus and 2 sous tournois.

PESNAGE.

Unto his Majesty belongs one denier tournois for every swine, nourished and kept by the tenants on the Fief le Roy, as well great as small, the rent of which is called "*Pesnage*." It was valued at the making of the last extent in 1582, at ten shillings per annum. But it has not yielded, by the last confession of the receiver, for some years past, more than five shillings per annum, and so no certain valuation is hereof to be made.

THE AMENDES.

The amendes, or amerciaments, of the Royal Court, and others his Majesty's courts, held at several times in this parish, are gathered from three years to three years, that is to say, the amerciaments, defaults, and of the castle (prison) and as for the penalties and offences for which the greater amendes are imposed, these are to be paid whensoever his Majesty's officers shall require the same, the clear profit of which (comparing some former years together) may be valued at about thirty pounds sterling per annum, albeit the same cannot of certainty be yearly continued.

FEES, OR FIEFS.

There are belonging to the king's Majesty, within the precincts of this parish, three fees or fiefs: first, the Fief le Roy; secondly, the Fief Rozel; and thirdly, the Fief St. Martin, to the last of which none that holds either houses or lands in this parish of the same fee, owe other rent, duties, or services, than only an appearance once in the year, when the court is kept.

THE OLD CASTLE DES MARAIS.

There is situate in this parish a very ruinous and decayed castle belonging to his Majesty, of long time ago used for the mansion place or seat of the captains and governors of this isle, which containeth within the walls about one acre of land, the grass and pasture of which have some years been let for twenty shillings sterling. And also there is adjacent, and lying near to the said castle, about twenty-six vergées of coarse meadow ground which, together with the said castle, hath of long time remained in the hands of the said captains and governors. And the said meadow ground has of late been let by the year for the rent of sixty shillings sterling, so, in the whole per annum, the grass and pasture within the said castle, and the said meadow ground are worth four pounds sterling.

The values of the several coins mentioned in this extent, reserved for rent, according to the currency of the money of England, are thus stated.

The écu sterling, 2s. 6d. The ecu monoye, consisting of twenty-five sols money is of Guernsey $2\frac{1}{4}$ deniers, making 2s. 2d. sterling. The sous money or tournois contains twelve deniers tournois, whereof $3\frac{1}{4}$ make four pence sterling, and ten do make twelve pence sterling. The gros monoye, containing $2\frac{1}{2}$ deniers, is of English money, wanting the part of a sous, three pence sterling. The Estelin, or Eastling sole without addition, equals one penny sterling.

* In our next number, we shall give the provisions of this extent, as they apply to each of the country parishes.

COMMERCE OF JERSEY.—No. 8.

In my last article I noticed the greater value of our imports over our exports, which must suggest the inquiry—how is the balance paid? The imports into a nation must be paid for in some manner or other; and, as a general remark, it will be found that they are settled for by the amount of exports. The more we export, the more we are enabled to import; and the more our import, from the same reason, the greater must be our export. This general truth, however, in our case, is subject to some modification, arising from our peculiar situation. The number of English and other residents here, who live on revenue, which they draw from the land of their birth, supplies an additional source, whose stream wafts products to our shores, without requiring an equivalent return from us. The imports into this island will therefore be paid for by our exports, by bills on England or other countries, furnished by residents, and by persons who have money in the funds, and by a portion of the profits on our foreign trade. That the first of these contribute towards the payment will be obvious enough, but with regard to the second, it may be asked, how that can be. This difficulty will be cleared up by a consideration of the nature of bills. These are representatives of value, situated at a distance, transferred to another person, whose name is inserted in the body of the bill, and who can again transfer it to a third party. For the amount of the bill, any products required to the same value can be imported from that particular country upon which the bill is drawn, without being under the necessity of exporting goods to balance the transaction. Thus, for instance, an English resident has the sum of £500 due to him in England, whether as a portion of his income or otherwise is immaterial, which he wishes to receive in Jersey: he gives a bill to A for its equivalent value in money, in which he requests his banker in England to pay the amount to the order of A, who now becomes holder of property, or value, in England to the amount of £500, without any export from the island having taken place. With that sum he may purchase some of the products or manufactures of Great Britain and import them here for home consumption. He sells them, and they go towards the supply of the wants of the community. Here then are imports without exports. The first creditor of the £500 might, if he had chosen, have imported the value himself in any other shape he pleased; the result would have been the same; but, instead of so doing, he prefers having the same amount in ready money, with which he can more conveniently suit himself with what he may require. The case may be put in more general terms, by stating that England becomes a debtor to us of £500, which she is to pay in the manner most agreeable or most advantageous to us: but are we gainers of this amount, since we export nothing in return? Certainly not, as I mentioned in a previous article. The first creditor, the English resident, has received an equivalent for this sum, which he may spend in the manner he wishes; he has not made a present of the bill, of the value he had in England, to the community here, and the equivalent which he has received he may consume, or he may carry out of the island, that is, he may export it. The wealth of the community will not be affected in either case, for whether he consume the value or export it, it is for ever lost to the island, unless of course he should employ it here reproductively, that is, in some useful industry. The person who has imported the goods to the amount of £500, is not mindful whether he pays for them, by a transfer of value for goods which B has exported, or which the English resident or fundholder possesses and gives over, so long as he feels assured that the bill which he receives is the representative of value, and that it will be paid, or that he can purchase the goods required with it; and for these goods thus imported the community pays in some way or other, whether in the one case, by giving the equivalent to the drawer of the bill, or by exporting that equivalent. This may be more apparent by an example. A merchant arrives here from England

for the purpose of purchasing oysters; he does so, we may say, to the extent of £1000. He will give a bill on London for this amount, that is, he will transfer a debt by his banker from himself to the seller of the oysters, who may import from England commodities to that value; or, by receiving an equivalent, may re-transfer the order to a third person. Now, whether the oysters thus purchased are exported, or whether they are consumed or destroyed here by the purchaser, so far as the island wealth is concerned, is of no importance; they have been paid for, imports have been made of other commodities for their value, even though no export may have been made. In the case of the English residents, they consume the equivalent which they have received for their bill on London; so that although no product or value of the island has actually been exported, it has been given, and has served the purpose which the receiver has intended or desired. From this brief account, I hope I have conveyed some notion of the mode in which our imports may and do exceed our exports, and in which the balance is settled; and as to the third mode contributing to this result,—the profit on foreign trade,—I think it will be unnecessary to make any particular observation.

We often find that general truths are well illustrated and proved by familiar examples carried out, as Lord Bacon well notes, that “they be not the highest instances that give the securest information. It cometh often to pass that mean and small things discover great, better than great can discover the small.” If we carry out the simple notion that the more a person receives for what he sells, the greater is his gain, and apply it to the case of a community, we shall arrive at an indubitable truth which has long been hidden from the view. It may then be stated that the more a community or a nation receives for what they produce or manufacture, above the actual cost, the greater is their gain, the greater the increase in their wealth. The form or the manner of selling does not lessen this truth; a part of the commodities may be exported, the remainder go towards the home consumption. In the former case the position laid down is equally true, that the more the exports are sold abroad, the greater is the gain to the producer at home. The value of what is thus exported will return in some shape or other, for the exporter must be paid; and as commerce is but an extended system of barter, and payments from one nation to another are made with products, whether directly or indirectly, it must necessarily follow, that the greater is the amount of imports over exports, the greater is the gain to that nation; for even admitting that no greater or even less profit be made by the exporter than if he had sold the commodities for home consumption, yet in order that he may receive the same net value, it is necessary that the goods imported should possess a greater gross value, for there are various charges of freight, shipping and other expenses to be deducted from the latter, or added to the former. A nation would be a severe sufferer if her exports always exceeded her imports, for although the whole value of the former may not return immediately, but may remain abroad as a debt, still it must ultimately return, or be lost to the community to whom it is due. I shall dwell no further on the notion of the balance of trade, but I could not avoid noticing it, from the fact that our imports are of much greater value than our exports, and that our prosperity, and indeed the prosperity of every nation in its foreign trade, must depend upon the same circumstance, besides the advantage also of importing commodities which either could not be produced at home, or if so, at a much greater expense. We are thereby enabled to enjoy the productions of the most distant countries; and in one sense indeed, all the world may be said to be working to add to our comforts, to supply our wants and to minister to our luxuries. Even the taking of a cup of tea should sometimes occasion a thought of the number of persons, of various pursuits and occupations, who must be employed before we can indulge in that now common beverage.

Mr. Inglis, in his work on the Channel Islands, which, in some parts, evinces the prejudices which he entertained against them, seemed glad of an

opportunity of casting imputations or suspicions however unjustly and undeservedly. I shall notice an instance which lies in my way. Unacquainted with the principles of commerce, he was furnished with tabular statements which he could not understand or explain, but as these, naked and bare, would have been somewhat repulsive, he would fain write something about them. In one part he says: "In reading the above details, it will be remarked that the quantity of dried fruit exported bears no proportion to the quantity imported; for example, of one hundred and twenty-nine tons of raisins imported, only twenty-three are declared exported; and of one hundred and ten tons of currants, only fourteen are re-exported. It is, of course, impossible to conceive that the difference, one hundred and three tons of raisins and ninety-six tons of currants are consumed in the island. By far the greater part of this quantity must find its way to England, in other ways than the regular channels." He cannot conceive that what is imported during a year need not be consumed during that year, and that dried fruit cannot be, and is not kept or preserved for a longer period than a few months. Even supposing that that quantity of dried fruit had been consumed during the four years, the annual average consumption would not have been quite one pound and a half of either for each inhabitant; but the quantity imported varies annually according to the price; and while, in 1832, sixty-two tons of raisins were imported, only nineteen tons were in 1833, and of currants only nine tons were imported in 1832, and fifty-four tons during the next. Fruit, besides, is not the article best adapted for smuggling into England, and Mr. Inglis might have found that there was a little more truth than perhaps he might be willing to grant or inquire in the remark of Mr. Stiles, a commissioner of customs, who was sent over to the islands in 1800, that "no illicit commerce was carried on between Jersey and Great Britain." Many are the judgments formed by men without reflection on the grounds upon which alone judgments should be formed. The passions, the feeling of selfishness, often envelope truth in mist and darkness; and there is a strong desire in many to find and pick out errors and defects rather than search for beauty and truth.

The large importation and consequent consumption of spirits in this island may have been noticed by some reader of my last article, in whose mind a wish to ascertain the moral effects thereby produced may have arisen, with the exclamation taken from the book of Esdras, "O, ye men, how exceedingly strong is wine." The consumption of spirits in this island is very great; as will appear by the following statement, which Inglis published from an official note of the quantity of spirits sold for consumption in the island from March, 1832, to March, 1833. The quantity is 293,528 pots of brandy, 41,470 pots of rum, and 75,745 pots of Geneva; in all, 410,743 pots of spirits. This, estimating the grown-up male population at 10,000, is an allowance of 41 pots to each individual.

The cheapness of the price is one cause, the principal cause, of the extent of the consumption. The duty charged on brandy and rum is one shilling per gallon of 90 degrees strength, and on Geneva the same for Holland proof; but though this low rate tends to increase the consumption, I do not think it increases drunkenness among the natives. It may, and it does, among the Chelsea out-pensioners living here, and among many of the English and Irish labourers. The causes of this vice, and source of other vices, lie deeper; they are connected with, and flow from, a defect, a looseness in the moral character, where, if we would apply the remedy at the seat of the evil, the pruning knife should be applied, and the medicine administered. It is a just aphorism of Coleridge, which is applicable in the present instance, that "all true remedy must begin at the heart; otherwise it will be but a mountebank cure, a false imagined conquest;" and while I do not wish to depreciate the praise-worthy efforts of those who by Temperance Societies aim at the overpowering of intemperance, I cannot think that success will surely crown their endeavours, for it seems to be that they should lay their foundations deeper than on a mere promise, which cannot have much influence on the temper and frame of the heart.

It is a plausible supposition in some benevolent persons that severe legislative enactments and prohibitions would check and crush the vice of drunkenness; but it is more plausible than substantial. This system was attempted in England in 1736, but the results of the law were much more injurious to public morals than its non-existence; and, after six years duration, it was repealed. "The consequences of the change," says Mac Culloch, "were highly beneficial. An instant stop was put to smuggling, and if the vice of drunkenness was not materially diminished, it has never been stated that it was increased." This compulsory mode of improving, or rather endeavouring to improve, the morals of a people, has something empirical in it; it may perhaps check outwardly in some degree the evil aimed at, but it does not eradicate the propensity, the feeling, and direct the will; it only removes the seat of the malady to another part, or give it another form, which, though different, is equally destructive. It is justly argued by Mac Culloch, that "the imposition of high duties does not take away the appetite for spirits; and as no vigilance of the officers or severity of the laws has been found sufficient to secure a monopoly of the market to the legal distillers, the real effect of the high duties has been to throw the supply of a large proportion of the demand into the hands of the illicit distiller, and to superadd the atrocities of the smuggler to the idleness and dissipation of the drunkard."

If we would wish to form an opinion on the influence of the price of spirits on the morals of the people by a reference to, and a comparison between, various countries, we shall not find that those in which they are dearest are the most known for the temperate habits of the people, nor vice versa. Where they are at a high price the temptation is the greater; and so far does temptation sometimes lead men, that we find that the wines of Italy were a sufficient inducement to the Gauls under Brennus to form an army and march towards Rome; and the reports of travellers inform us that those people who cannot procure the spirituous liquors of Europe, or who are ignorant of them, still manufacture or make some mixtures, or extract some vegetable juices which possess intoxicating qualities; and we have examples in the case of some savage tribes who have once had the taste of rum or other spirits, that the being deprived of them for a short period, not being able at all times to obtain some, tends strongly to stimulate the desire, the want, and when possession is obtained, the senses and intellects are drowned by the excess which is swallowed. Adam Smith has a few valuable observations on the subject, from which I extract the following: "It deserves to be remarked, that, if we consult experience, the cheapness of wine seems to be a cause, not of drunkenness, but of sobriety. The inhabitants of the wine countries are in general the soberest people in Europe; witness the Spaniards, the Italians, and the inhabitants of the southern provinces of France. People are seldom guilty of excess in what is their daily fare. Nobody affects the character of liberality and good fellowship, by being profuse of a liquor which is as cheap as small beer. On the contrary, in the countries, which, either from excessive heat or cold, produce no grapes, and where wine consequently is dear and a rarity, drunkenness is a common vice, as among the northern nations, and all those who live between the tropics, the negroes for example, on the Coast of Guinea."

Some regulations are necessary to prevent abuses and evils originating with the keepers of public houses. No person in Jersey can keep an inn, or sell small quantities of spirits, but those who have obtained the sanction of the parish assembly, who grant it on recommendation; and all taverns are under the surveillance of the police.

There is one branch appertaining to a subject which should not be unnoticed, from the influence which it has at all times exercised on the commerce of a country. I allude to the state of the currency. About a century ago, payments in this island were made in copper, thus nearly realizing in this respect the views of the Lacedemonian legislator, who, to banish commerce from Sparta, from the fear lest it should corrupt and mollify the character

and stern virtues of that warrior people, forbade the use of all money except of iron, which of course impeded commerce and the arts. A limited currency is adapted only to a poor and sterile country, where the industry of the people is very confined, where their wants are few, and their means of supplying them still fewer. But in a commercial country, where the arts are cultivated and industry is universal, a facility in the medium of exchange becomes not only valuable but absolutely necessary. Hence the use of money, which all nations have resorted to, though the materials of which money has been composed have varied greatly: in some places, shells, in others salt, leather, &c., have been employed; but the precious metals have been found the best adapted for the purpose, and even in early times have been used as a medium of barter. But when commerce becomes very extensive, the precious metals alone are not found sufficiently convenient or adapted to its growth: more facilities in exchange or barter are necessary, which give rise to bills of exchange and paper money, which are both an effect of increased commerce and a cause. Confined within the narrow limits of an article, I cannot trace the progress of the change or the consequences; but I shall hastily glance at some of the disadvantages and advantages of a paper currency, and make a few remarks on that of this island. It would be wrong to suppose that paper currency has not its peculiar advantages and also disadvantages; and equally so, from a consideration of the one by some persons dwelling too much on that view, to wish for its indefinite extension, or, from that of the other, its entire exclusion. Extremes are to be avoided; and paper currency, to be really valuable, must be regulated by wise and salutary restrictions. Paper currency is not without its attendant evils; but if we will also consider its advantages, we shall not hesitate to acknowledge that these overbalance the former. Some of the alleged objections to, or evils of it, I shall now briefly lay down, though without detailing them fully, or entering into the subject at large, but only noting them as heads of discourse or of paragraphs, which I should have dilated upon, did my plan allow of it.

Paper currency is frequently not the representative of any wealth: it can be increased to the utmost wants of the community, and thereby drive all the gold and silver coin out of the country: by becoming depreciated (occasioned by an excess in circulation, which cannot always be exchanged for gold) it causes great losses to the community, from the variation in the value of the currency, as was instanced during the late war in England, and great difficulty is experienced in reverting to a better system: it affords a facility of issuing a fictitious capital and thus exposing many persons to a serious loss; and also of creating a national debt, which is not much felt at the time of creation, but which, by being incurred in a depreciated currency, becomes really, though not nominally, much greater, when the currency becomes healthy, and the taxes are levied in a metallic currency: it is in its nature of a more variable value than gold or silver, and it gives to bankers the power of seriously injuring trade by enlarging or contracting the currency, thus influencing the price of all commodities: it causes overtrading and over-speculating: it gives rise to notions and anticipations of grandeur and wealth which are ephemeral: if it become depreciated, its natural tendency is to become more so. Such are some of the objections, and powerful objections, to a paper currency. Let us now consider some of its advantages.

Paper currency is less expensive than a metallic currency: it is more convenient in payment, it occupies less time and labour, and is more easily transferred, and thus it better facilitates exchanges; it represents wealth, not being wealth itself, and that wealth which it replaces is rendered more beneficial by employment in trade than it could be in its character of currency: it facilitates discounts, and lessens the rate of interest: it increases the circulating capital of a country, by making that useful as capital, which previously was only a medium of exchange: it increases the activity and industry of a country: when paid, without any condition, in the precious metals, as soon as presented to the issuer, it is equal to gold; and a suffi-

ciency of gold and silver could not be had to supply the wants of a commercial community, by employing them as the sole circulating medium, nor could trade be carried on to the same extent without the use of paper money, and bills of exchange, which partake in some degree of the same nature, as it is by the employment of them.

The state of the currency in Jersey is, for the community, very unsafe and unsound, from a want of legal restraining regulations. Any person can issue paper money, or one pound notes, payable on demand, without offering any security whatever; and this has arisen from a disagreement in the States, or legislative assembly of the island, on the nature of the security which should be demanded; but it must be admitted that any security given would be better than none at all. It follows that bank notes are not only issued by professed bankers, but by individuals for their own private advantage, without the yielding of those advantages to the community which banks afford. There is no issue upon any settled principle; the circulation is not enlarged or contracted on any principle whatever.

The motives which induce individuals to issue promissory notes of one pound, are various; some to increase their capital in business, and not to have to pay any interest on that increase; some for improvements in the vicinity of their dwellings, as the making or improving of roads, or the paving of streets; some for the building of chapels; some to increase their investments in wheat rents or mortgages upon land;—all arising from the wish and desire of enjoying or applying the interest on the amount of notes issued, for some specific object. The number of those persons, or associations of persons, who are mere issuers of paper, is therefore very large: and it is quite preposterous that any should thus be allowed to borrow without interest from the public, without, at least, giving a proper security, or without returning an equivalent advantage to the public; and a few cases could be mentioned of persons issuing bank notes, so called, whose note of hand for ten pounds would most probably be refused unless satisfactorily endorsed. The public is, therefore, doubly exposed to danger and loss, from there being no restraint or restriction on the circulation, from which follow over-issue and over-trading, and from no security given that the notes issued shall be paid. I may be asked, why such notes have any circulation at all?—Why they are not universally refused? This arises from the belief which each individual possessor has that he will be able to give them in payment, and that it is better not to refuse the receipt of an account, though the payment be offered in such discreditable paper, when the consciousness is enjoyed that they will be re-circulated, and the supposition that till then no bankruptcy or stoppage will take place. Such notes are said to have a rapid circulation, from the fact that they are always the first to be given in payment before the paper of established banks possessing public confidence. Several of the parish assemblies also issue paper to defray parochial improvements or expenses, thus putting off the actual payment of a present debt. Some of these notes are very inconvenient, although safe, when made payable in the parish which issues them, and not in the town of St. Heliers, the seat of the chief commerce of the island.

I cannot estimate precisely the amount of one pound notes in circulation, but I should not suppose it to be less than £150,000.* This large quantity of notes is one reason of the scarcity of metallic currency.

All banks issuing paper money should have, at least, one third of the amount of the paper issued in metallic currency, to meet the demands upon them. But, in Jersey, many of the minor banks of issue, far from having one third, have scarcely any metallic currency at all; and when called upon for the encashing of their notes, will oftentimes give in return notes of the principal banks, which thus become a kind of legal tender. It is in this manner that these support the others, and have the chief burdens to bear, and the expense of importing silver from London to pay their own notes when presented for payment. These are, in some respects, situated, though

* The amount of paper money in circulation in Guernsey is usually near about £90,000; viz. £4,000 in notes of the States, and £86,000 in notes of the two banks,—all £1 notes.—Ed.

in a much inferior degree, as the Bank of England with regard to the country banks or other banks of issue.

Bank notes, when payable on demand, and possessing good security, become the real representatives of wealth, and possess the advantages of a gold currency without the losses and inconveniences attending the use of the latter; but when they are made payable at a future period only, they really are of less value than those which are exchangeable immediately for gold, for which metallic currency can at once be obtained. Bills of exchange and promissory notes have real present value, from their future value, but it is diminished by the amount of interest for the period intervening till they are due. It is the notes which are payable on demand which strongly tend to keep in circulation those which are not; for the people always remember that they can obtain cash at the banks for a large portion of the notes in circulation; and any individual, for the whole amount which he may require, for he can exchange the notes not payable on demand for those which are so, or he possesses the assurance that he can do so, and therefore obtain the required supply of gold or silver. This, however, can only be when the notes not payable on demand bear but a small proportion to those which are, and when the community have the conviction that such notes are perfectly safe, and will assuredly be paid one day. Of this species of "bank-notes" the Guernsey States have some in circulation in that island, and here we have the notes of the town vingtaine, which are not payable till after a determined period. But this privilege, if it be enforced by authority of law, establishes an unjust preference, and if it be carried to too great an extent and these notes become a legal tender, they become depreciated in value and are no longer worth the sum for which they were originally circulated. A difference would be made in payments between this legal paper currency and metallic, and the difference would soon manifest itself in the foreign exchanges, which depend upon the relative value of currency in different countries. There were very glaring instances of this in the once British Colonies of North America, now the United States, in which a government paper was issued, the payment of which was not demandable or payable till several years after the date of the note. Although the government of Pennsylvania, to render their paper of equal value with gold and silver, exacted penalties against all those persons who made any difference in the price of their goods when they sold them for a colony paper, and when they sold them for gold and silver, they soon found the impossibility by that unjust law of rendering mere nominal value equivalent to real value, and the course of exchange with Great Britain soon manifested the difference, for one hundred pounds sterling were occasionally considered as equivalent in some of the colonies to one hundred and thirty pounds, and in some others to so great a sum as eleven hundred pounds currency.

There is, we have seen, a discrimination to be made between bankers and the mere issuers of "bank notes." The former issue paper in order to possess greater facilities for the discounting of promissory notes, and their profits arise from the interest on the amount of their paper in circulation, or the interest charged on paper discounted by means of it, and the purchasing or drawing of bills on London.

A bank has lately been established in Jersey on a yet different system to all the others, and which, from the nature of its one pound notes, will enjoy but little of the public confidence, whether deserving of it or not. These "one pound notes" are not payable on demand at the bank which issues them, but in London at thirty days after sight. These notes, though nominally, are not really worth one pound, for before a sovereign or twenty shillings can be obtained for one of them, the expense of postage or carriage to London, and the interest on the lapse of time before they are due and paid, are to be deducted from the amount. Such "bills of exchange" cannot therefore have much circulation, and indeed deservedly so, for the banker would otherwise be enjoying unheard-of advantages to the detriment of the public.

The great extension of the paper currency has given a great facility for

discounts. These are of essential service to a commercial community; but when carried beyond a just boundary, they produce incalculable mischief: they encourage a wild spirit of speculation; they hurry many away by schemes of splendour, which are all visionary, but the pursuit of which plunges several families in ruin and in woe. This sometimes follows when the banks are compelled, by the working of the system, to restrict their issues and discounts, heretofore large, when there results what is called a "scarcity of money." Not that there is less money in circulation than is required to facilitate exchanges, but a difficulty to acquire actual capital for a written promise to pay the amount at a specific future period, and also to meet those demands for borrowed capital which has been invested in some commercial speculation or undertaking, and which cannot be realized at once to meet those demands. When this is the case, and credit curtailed, great losses ensue to those individuals who, by discount, have had large sums advanced to them, the value of which being invested on land, in buildings or in commodities of any kind, cannot be again realized in money without occasioning forced sales at a consequent great reduction of price; and those also who have advanced the loan are much exposed to pecuniary danger. These losses in some cases occasion bankruptcies even among those parties who estimated their property, according to its previous exchangeable value, much higher than the amount of the paper which they had discounted, and which falls due; and some banks, being thus exposed, by the scarcity of money in other parties, or rather by the excess of the liability of those persons above their assets, are driven to a necessity of stopping payment. The panics which have at various times arisen in monetary affairs, have been occasioned through nearly similar causes.

There is at this moment in Jersey what is called a "scarcity of money," the causes and nature of which is a subject deserving of consideration by the inhabitants, or the reflecting portion of them. I cannot enter fully into an inquiry about them from the limits prescribed to an "article;" but I shall take a hurried review of what I consider them to be. It will be necessary to recur to the change which took place in the legal tender of the island in the year 1834. Previously to that period, the legal tender was the six livre pieces of the French and the currency consequently was in that of old livres and sols of France, twenty-six of which livres were deemed equivalent to one pound British sterling, or twenty four to a Jersey pound, as the premium on English money was eight and one third per cent. These six livre pieces having been recalled by the French Government, it became necessary to establish some other legal tender in their stead, which gave rise to a variety of opinions on the subject, some persons desiring the British metallic currency, others the French; and much self-interest was manifested in opposition, I must say, to reason and equity. The States, or legislative body of the island, passed a law to establish the British currency as the legal tender after a determined period, with a proviso that all debts previously contracted should be paid according to the rate at which they had been contracted, but that, subsequently to that period, all engagements, in money, should be made according to the established legal tender; and in order to prevent any disputes or difficulties relative to the price of wheat rents, the value of these was fixed in British sterling as nearly as possible to that in livres. This law was opposed by a petition to His Majesty in Council, to whom it had been sent for confirmation. The objections were founded principally on misconception, and, in some cases, arose from a wilful and contemptible self-interest. Some persons wished the French francs at par with the livres, which would have been most unjust toward those who owed more than they had to receive, or than they had agreed, for there is a difference of about three per cent in favour of the franc over the livre. Some issuers of "bank notes" preferred the franc because they would not be so likely to have their notes returned for cash as if the legal tender were the British sterling, for, as was alleged by the advocates of the law, our commerce with England being much more considerable than with France, and our foreign trade being chiefly regulated in London, it was on

that city which we mostly had to draw bills, and to her to remit: and should the banks at any time refuse to draw on London, which was sometimes the case, to the great inconvenience of the public, remittances could be made by carrying their notes to them for gold or silver. Other persons preferred the English silver, provided all debts contracted in the old currency were paid in British sterling, thus adding 8½ per cent to the amount of all that was due. Some wished the wheat rents to be valued at the same number of francs as of livres, and others at the same nominal amount in British sterling as of the old currency. Such motives or reasons as these were absurd and unreasonable, yet they operated on the minds of many persons. Then several of the English residents and others thought that if there was no premium on bills on London, they would be losers of the difference, as they supposed the prices of all goods would keep at the same rate as before; and several could not perceive that whether an English shilling were called a shilling or thirteen pence, it would still be of the same value—so apt are people to be misled by names;

What's in a name / that which we call a rose
By any other name would smell as sweet.

It was impossible for the States to frame a law on the subject which should conciliate all parties; but they passed one, declaring British metallic currency the legal tender at the rate of twenty six livres per pound sterling, which after some time, was confirmed by His Majesty in Council.

To advert, though rapidly, to the working of the law, in some respects may not be devoid of use or interest. The principal banks were under the immediate necessity of importing silver coin from London to meet the demands upon them. The mere issuers of paper kept by them a certain number of the notes of the principal banks, and when any of their own notes returned, or return, for payment either some of the other notes were, and are, given, or silver obtained at the regular banks from the reserved notes, so that, in order to prevent this continual draining of their silver by the public and the issues of paper, the principal banks were and are under a necessity of contracting their issues. For not only were they drained by their dependant issuers, but if, through a scarcity of bills on London in market, the premium rose above par—above the expenses and risk of transporting silver to England,—many persons who had remittances to make to England, preferred, instead of bills, sending silver, which they obtained at the principal banks in payment of their bank notes. In self-defence these banks have been compelled to contract their issues, and in consequence, their discounts. This being the case, those persons who much depended for the carrying on of their business, on the facility of discounting their promissory notes at the banks, felt and feel much crippled in realizing value, and money is said to be scarce, (although the amount in circulation may be the same as before,) payments are slow and of comparatively small amount. This is the actual state of trade in Jersey, which is not to be wondered at; for the former facility of discounts gave rise to over-trading with a borrowed capital—a system unsound and pregnant with evil. From our limited extent, the evils are not so disastrous as in England, where the same cause, though modified by peculiar circumstances, operating on a larger scale and on a wider sphere, sometimes produces most melancholy results. The pressure which is felt must ultimately lead to a more safe system of business, by the substitution of actual for borrowed capital.

I cannot quit this part of my subject without remarking that the real price of silver coin varies, and that the raising of the denomination of a coin above its intrinsic value, does not prevent its exportation—truths of much worth, and which have not always been acted upon, but sometimes the contrary—which is evinced in the fact that in 1834 our States recalled the three shilling pieces which they had issued in 1812, when they were really or nearly worth the denomination which they bore, but on which a heavy loss was sustained from the decline in the price of silver, though the nominal value of the coin remained the same; and during the greater period of

their circulation, but few were seen in Jersey: the greater number were at Guernsey.

I now conclude my subject on the Commerce of Jersey. I had thought of doing so with a few remarks on the debt, the revenue, and the expenditure of the island, but these are not strictly connected with its commerce, though dependant in a great measure upon it. I am aware how repulsive figures and tabular statements are to the general reader, but they were absolutely necessary to convey a proper notion of our commerce, and sometimes they formed the most laborious part of an article. The Channel Islands are knit together by a community of interests, and they should be by a community of feeling. To increase the prosperity of either should be the endeavour of both. They have been indeed, and they are, blessed above many, not to say above all lands; and although but mere specks on the Chart, they teem with industry, perseverance, energy, and enterprise, and they maintain a happy and a contented population. L. Q.

The Editor takes the liberty of stating that the author of the very valuable articles on the Commerce of Jersey, which evince so much talent and research, is CHARLES LE QUESNE, Esq., of that island.

OBSERVATIONS ON THE TOPOGRAPHY, CLIMATE, AND PREVALENT DISEASES OF THE ISLAND OF JERSEY.

By GEORGE S. HOOPER, M. D.

THOSE who desire to see the inhabitants of the Channel Islands keep pace, in intellectual pursuits, with communities in the mother country, by no means so wealthy or numerically so important, must hail with satisfaction every local indication of the advancement of literature, or the cultivation of science. Dr. Hooper's recent publication is an indication of the kind—valuable, not only as evincing the scientific attainments of its author and other “children of the soil;” but, as a contribution to science, and as affording authentic documents for the correction of errors and misrepresentations respecting the climate of Jersey and its influence on disease.

The unfounded idea as to its relaxing tendency, and the difficulty of acquiring accurate information, have hitherto prevented invalids from seeking the chances of benefit offered by the mildness of the winter months in both islands.—From this cause they have been comparatively little frequented, notwithstanding their acknowledged superiority as to comfort and economy over many other places of valetudinarian resort.

Dr. Hooper, in his preface, states, that to remedy the absence of scientific information on the nature of the Jersey climate, forms the chief object of his undertaking.

“It is not enough for practical application, that the climate of a locality be designated in general terms; it is desirable, also, that its several qualities be examined in detail, in order that, should any peculiarity belong to it, it may be possible to judge, whether, in that respect, it differs much from the climate of other similar situations. For, when an invalid resolves on leaving his home, for a climate better suited to his state of health, he is naturally desirous of rendering such a step as effectual as possible, by the best selection which his means of information can enable him to make. In most cases, therefore, it would be of no small importance to him, not only to know beforehand which places were most likely to secure him the looked-for advantages; but also, whether one spot, in particular, more adapted to his means, convenience, or inclination, might not, in respect to climate, be equally entitled to preference.”

The work is divided into chapters containing descriptions of the country generally—of St. Helier's, St. Aubin's, the principal villages and localities particularly: these descriptions being prefatory to his observations on the climate, its remedial properties, and the prevalent diseases of the place. The remarks on climate are illustrated by a series of carefully constructed synoptical tables, the result of five successive years of accurate

observation and registration, which supply a mass of facts whereby "the minuter qualities of the climate may be appreciated, and its properties, as a remedial agent, be better understood."

The first chapter, which comprises short sketches of the geology, botany, agriculture, &c., replete as it is with matter of practical importance, we pass over, to extract passages which must be interesting to our numerous visitors, many of them seeking information on the very subject that forms the prominent feature of this publication.

"The island of Jersey, from its situation and small extent, enjoys a remarkably mild climate; so mild indeed, that, in regard to temperature simply, it will be found superior to most neighbouring places, and equal to many in more southern latitudes. But by the same causes, also, the air is rendered habitually damp, independently of the nature of the surface, and the quantity of rain that falls; and it is, doubtless, from the combination of those two qualities, mildness and humidity, that the climate borrows its most obvious peculiarities. Beyond this general description, scarcely any thing has hitherto been written on the present subject; therefore, the facts I have to offer in corroboration of what has already been established by other testimony, will also be made use of on this occasion, to illustrate particular points, as yet unnoticed, and to place what has been correctly stated concerning the climate of the island on a better basis than mere assertion: the minuter qualities of the same climate may be appreciated, and its properties, as a remedial agent, better understood.

"From observations continued during five successive years, (for the details of which I must refer the reader to the synoptical tables,) it has appeared that the mean temperature at St. Helier's averages $58^{\circ},00$. In the same lapse of time, the entire range of the mercury in the thermometer was 82° ,—the two extremes being 88° , and 26° . Atmospheric heat, averaged on the whole month, arrives at its maximum in August, and is at the lowest level in January; from which extremes the ascent and descent are rather irregular, viewed in successive months, the greatest variation occurring between the two last of autumn, when the fall averages $7^{\circ},23$, and the two last of spring, when the rise is 7° . The mean variation between successive months is only $3^{\circ},07$.

"Arranged according to their mean temperature, the months stand thus: 1 August; 2 July; 3 June; 4 September; 5 May; 6 October; 7 April; 8 November; 9 March; 10 December; 11 February; 12 January.

"The mean variation of temperature in two successive days is nearly the same in all the months and seasons,—a circumstance which shows, that before coming to general inferences touching the peculiarities of a climate, we should consider its several elements in every possible point of view. For example, it needs only a little reflection to perceive that although the mean degree of heat may be equal in successive days, these may yet differ widely one from the other, with respect to the manner in which heat has been distributed to each separately: for the data whose mean ratios are thus compared, may, in fact, be very dissimilar; excess on the one hand, compensating deficiency on the other, or the reverse. The same remark will apply to the months. It is evident, therefore, that conclusions drawn from one order of facts only might be very fallacious in practice. The mean variation of successive days at St. Helier is $2^{\circ},41$. Between spring and summer, the average difference of temperature is $11^{\circ},87$; between summer and autumn, $8^{\circ},21$; between autumn and winter, $10^{\circ},81$; between winter and spring $7^{\circ},15$. The difference between the mean temperature of the warmest month, and that of the coldest, averaged on five years, was only $22^{\circ},14$."

Great accuracy in the formation of averages has been sought and attained by our author, who, by the use of register thermometers, has noted the variations of temperature by night as well as by day.

"It needs only a moderate acquaintance with this subject to see clearly, that the mean variation of temperature, as commonly stated in meteorological reports, can lead to no safe inference, unless it be viewed in conjunction with equally careful observations on the ranges and distribution of heat, during the same periods. Hence the comparative worthlessness of observations confined to the day.

"The mean *daily* range at St. Helier's, on five years of observations by the register thermometer, was $11^{\circ},70$; a result which proves of itself, that whatever excess may exist in the temperature of the air in this island, compared with other climates, such excess is principally referrible to the lower extreme, or, in other words, to the *night*. For, were it owing to a higher degree of heat during the day only, the extent of range must obviously be increased in the same proportion.

"In considering the phenomena of atmospheric heat with reference to its influence on the body, there is no point more deserving of attention than its ranges; nor does a difference in the mean temperature, or variation, constitute so good a ground of distinction between two climates. The ranges comprehend the variations between the two extremes of temperature, in twenty-four hours, or in the months, the seasons, or the year."

Jersey, according to Dr. H.'s opinion, approximates in point of climate more nearly to Penzance than to any of the other mild situations on the S. and S. E. coasts of England. In corroboration of our author's views respecting this resemblance, and the importance of attending to daily variations of temperature, we may mention from the highest authority on these subjects, (Dr. Clark,) that the advantage of Penzance, as compared with the south of Europe, occurs *during the night* in winter.

"In mean annual temperature, however, there is an excess in favour of Jersey, amounting to very nearly one degree. The spring being warmer by $1^{\circ},31$; and the winter colder by $0^{\circ},84$; whilst in the summer and autumn, together, the island surpasses Penzance, in regard to heat, by $3^{\circ},14$. It is, however, in summer that the excess on the side of Jersey is the most remarkable, being as much as $2^{\circ},34$. The progression of temperature through the months, from one extreme to the other, appears more gradual in Jersey than at the Land's End; the variations being decidedly less in the spring and the autumn. These differences, however, are of trifling importance, compared with those which exist between the two localities, with regard to equability of temperature. In this point of view, Jersey lays claim to a superiority, which, undoubtedly, more than counterbalances its disadvantages in other respects. Its climate, in winter, is indeed singularly favoured, and fully proves the correctness of Dr. Young's conclusion, that for equability of temperature, a very small island must have great advantages over every other situation on shore."

On the subject of the winds we must refer to the work itself and its synoptical tables; from the latter it appears that the N. E. wind is the most prevalent. This prevalence, however, Dr. H. considers more apparent than real, from the difficulty of noticing the frequent changes of wind with sufficient accuracy. We quite agree with him as to its injurious effects on the constitution, during the month of April especially, a fact to be accounted for in various ways: first, the greater heat of atmosphere from increased solar power; secondly, the peculiar exsiccating influence of this wind on the cutaneous surface; and, thirdly, the liability of persons exposing themselves to a blast of keen air whilst they are overheated by exercise, not to mention a certain electrical state of atmosphere inseparable from a long continuance of drying easterly wind.

We extract the following "general observations," that our readers may be enabled to form a judgment as to the difference of climate in the two principal Channel Islands. We cannot, however, refrain from expressing our regret at not being supplied with a comprehensive series of meteorological data, whereby a critical comparison between the two places might be instituted. Notwithstanding their proximity, they differ in many essential respects, natural as well as political.

"The island (Jersey) enjoys an early spring, and a lengthened autumn, vegetation being usually active and forward in March, and the landscape far from naked so late as the end of December. The dreary aspect of winter, then, is comparatively short-lived. But the season of spring is marked by the same unsteadiness of temperature, and harsh variable weather, as in most spots under a similar latitude: and this disadvantage is particularly felt in May, which often fails to bring with it the expected enjoyments. Generally speaking, our March is mild, compared with what it is in neighbouring places; giving a mean temperature nearly three degrees above that of Gosport, and also superior, by about one degree, to Newport, Sidmouth, and Helston. October possesses a still greater superiority, in the same respect: consequently, the genial qualities of this climate may be made available to the invalid, to whose case they are applicable, during a period of six months. In diseases which require the avoidance of great ranges and variations of temperature, the objectionable qualities of the months of April and May, though in a certain degree tempered by the causes which mitigate the

severity of our winter, are, nevertheless, such as to call for great care in the use of exercise in the open air. To those who quit warm clothing, or in any other way relax in their precautions against the effects of cold, by anticipation, these months too often prove very dangerous. Bating this circumstance, a securer spot could scarce be found by a numerous class of English invalids, within a much greater distance from their homes. The summer is generally, and always comparatively, dry and cool, restricting, of course, the meaning of the words to the quantity of rain, and the mitigating influence of the surrounding ocean upon the power of the sun's rays. The winter, however, is the season which of all others contributes the most to the peculiarities of this climate. With rare exceptions, it passes off in soft, rainy, or windy weather, with intervals of astonishingly mild days, and with scarcely any frost or snow. Even in the most rigorous years, the latter meteors are far more transitory than in the southern districts of England; and it is, indeed, quite a memorable event to see snow a foot deep; still more to see it remain on the ground upwards of a week. Although a Jersey winter may appear depressing, and wearisome to some persons, from the absence of those sports, by which, in colder countries, the rigour of the season becomes a source of pleasurable excitement to the healthy; still, it must be acknowledged that, as respects disease, it cannot but offer many advantages. By reason of the mildness, trifling range and variations of temperature, chronic disorders proceed slowly towards their terminations; a circumstance of no mean import, since, by allowing more time for the operations of nature and art, it adds to the chances of recovery, in cases not absolutely hopeless.

"As a familiar illustration of the nature of this climate, I will," says our author, "lay before the reader some interesting facts, touching the acclimatization of tropical plants: from which facts it will be seen, that, seconded by art, the mildness and equability of atmospheric temperature, in Jersey, might be as, in fact, it has already been, advantageously applied to the extension of the vegetable tribes, which resist the inclemencies of the northern parts of the temperate latitudes. Not a few of the more rare shrubs, plants, and seeds, which require stove heat in England, may be raised here, first in green-houses, and afterwards transferred to the open ground. My accomplished friend, Colonel Le Couteur, of whose shrewdness and enlightened spirit of observation the British public has had sufficient proof, by his work on the *Varieties, Properties, and Classification of Wheat*, lately published, has informed me of his having succeeded, many years back, in raising a *Mesphilus Japonica* from seed, which has ever since stood out in the open ground, with the single protection of a bundle of straw, during part of the winter. He has likewise an *Acacia*, the seed of which was brought him from Ceylon. The *Canna Indica* ripens its seed constantly under this sky, as do equally the *Ixias*, many *Antholizæ*, and *Amarylli*. Mr. Bernard Saunders' answer to the query I addressed to him on the same subject is still more interesting. A long and extensive experience has convinced this talented gardener of the propitious qualities of this climate for the naturalization of delicate exotics; and he mentions several natives of the East Indies, Cape of Good Hope, Brazil, Mexico, New Holland, New Zealand, and China, which, under his own care, have here flowered, and perfected their seeds in the open air, without even the assistance of a wall, or other protection. He doubts not that many others, if fairly treated, might be added to his list.

"The following are those which, from their superior delicacy, have furnished the most striking results: *Lablab purpureus*; *Erythrina cristæ galli*; *Melianthus major*; *Vestia Lycioides*; *Eduardsia mycophylla*; *Cobæa scandens*. The higher, and more airy situations on the south side of the island are, undoubtedly, those where such experiments are conducted with the best chance of success. In the lower situations, and particularly near St. Helier's, the air is less favourable, being damper, and impregnated with extraneous substances, such as smoke, detrimental to the health of tender plants; besides which a greater exposure to sea fogs, and greater humidity of soil, by rendering plants more lymphatic, render them more liable to suffer from frost. The months most inimical to exotics in this region are February, March, and April, on account of white frost, and north-east wind; and October and November, by reason of the prevalence of strong westerly gales. From the foregoing facts it may, I think, be concluded, that Jersey presents extraordinary advantages, as a medium climate, for the acclimatization of tropical plants, preparatory to similar trials in more northern and less favoured countries.

"I have had several opportunities of noticing a fact, which is strikingly in accordance with the latter inference. Persons who, from a long residence in tropical climates, the East Indies, for example, have been rendered incapable of

resisting the cold of their native land, generally experience decided benefit from one or two winters spent in this island. Several cases have come under my observation of individuals of either sex, from England and Scotland, who, with natural and unreflecting predilection, had, on their return from India, hastened to their native places, but from which, soon after, they were obliged to fly, as from almost certain death; and who, having resorted to this milder climate, as a preparatory step, had afterwards returned home, with perfect impunity to health."

In our next number we shall notice Dr. Hooper's very interesting chapters on the diseases of Jersey and the remedial properties of its climate.

REMARKS ON THE CONSTITUTION OF GUERNSEY.

TO THE EDITOR OF THE GUERNSEY AND JERSEY MAGAZINE.

SIR,—The article, in your last number, on the "*Constitution of Guernsey*," may be most useful to those who may presently have to discuss the subject *practically*, as it contains much of good information; upon which, however, I may, perhaps, be permitted to offer a few remarks, all in good part.

As the author states it, I believe it is generally understood, that *King John appointed twelve jurats to replace the knights*:—from Warburton, and he from Frevinfelt, an itinerant judge—but the explanation in the *Précepte de l'Assize* would seem to give to the *Constitutions*, in that respect, a different reading—here it is—"Et est à savoir que y cent douze jurez selon l'établissement de la coutume de Normandie, sont mis et ordonnés au lieu de quatre chevaliers."—Hence I would suggest that JOHN, instead of *granting* a new system of jurisdiction, was only giving the force of a written statute, to an existing custom of Normandy. This statute was contemporaneous with *Magna Charta*, extorted from him by force, in the last year of his life, to bring to issue his most awful conflict with the Pope—the King of France—the English Barons—and, it is also added, his subjects in this little *Archipelago*. He had lost Normandy and most of his other continental possessions,—we were almost the only remnant left, and, as *our mother country* had deserted him, he would willingly, if he could, attach us to another *fostering parent*. The charter which his barons had prepared for him to seal is generally considered as containing little more, if anything, than privileges which had, from time to time, been conceded to them by former monarchs. So then I firmly believe that JOHN's constitutions were, as I said before, no more than a charter guaranteeing to us, that henceforth, although dissevered from our own duchy, we should continue to enjoy the privilege we had acquired from the custom of Normandy, under the British Crown.—It is, in fact, but a declaratory statute of a jurisdiction, "*selon l'établissement de la coutume de Normandie*." JOHN had not time at that critical moment to devise anything new for us; and if it had been something novel we were *asking*, it is a chance, under the circumstances of the times, if both islands would have hit on, and precisely agreed to, the same request.

In confirmation of my proposition, I will here adduce the Act of the Court of Chief Pleas of the 4th October, 1204, "*by Nicholas De Beauvoir, Bailiff; present John Le Gros, (and seven more named,) JURATS of the Court of our Lord the King of England, in the island of Guernsey.*" I conceive this to be good evidence in support of my argument, for JOHN had not then lost Normandy, and the heading of the "*Constitutions*" purports that they were granted *after* the alienation of that duchy, and nevertheless, we have here *jurats* forming the Court of our Lord the King of England in Guernsey. I shall discuss this point, with observing, as Warburton well explains it, that these *chevaliers, assessors*, or supposed *assessors*, with the Bailiff, *were not Knights of the Sword*, but sworn men, free men, owing Knight's service to their Lord,—Jurats in fact. Warburton quotes a statute of the British Parliament, of the 3d of Edward I., describing these Chevalliers.—I have not time to look into it; but if these judges were common in England at the epoch we are now discussing, it might have been an additional motive for our forefathers, to have the *Coutumes* of Normandy ensured to them in preference to that system: and they might make that condition the price of their allegiance to JOHN in preference to the king of France, who now, after a lapse of exactly THREE CENTURIES, recovered his lost NEUSTRIA!

I proceed to the next point;—B. notices an act of Chief Pleas of 1207, in which it seems, besides the Court, it is stated, the Governor, the bordiers, the free

tenants, a great number of persons styled *Jurats*, from various parishes, and two *Jurats electors* from each parish, were present.—I shall not here discuss with Mr. Le Marchant the *quality* of these personages; we have not even the business which was performed at these Chief Pleas; and as, in our existing records none but the Court are ever named in these acts, and that we find *that* to have also been the practice in 1204, almost a century earlier than Mr. Le Marchant's *Jurats* appear, I think it would be idle to speculate about them. But B. then exclaims: "Here are evidently the *Ministri Domini Regis*, or the servants of the King; and secondly, the *Optimates Patria*, or Heads of the People, mentioned in the Constitutions of King John, as authorized to elect the magistrates."—That the Bailiff and Jurats are the *Ministri Domini Regis*, we learn from the "*Constitutions*" themselves.—But though I am not much of a latinist, I do not conceive that "*Optimates Patria*," is well rendered by "*the Heads of the People*;" but rather that the phrase meant all the most respectable, rich, influential (perhaps what in French is termed *les Notables* in modern French diction) among the people.—Now, the Seigneurs of fiefs, and the bordiers who attend the Chief Pleas, are doubtless of this description, generally; but they are not, and were not, even then *all* of the community who may, or might be, so denominated,—and the priests of the principal places of worship, and some others perhaps, would rank among them.

B. proceeds:—"Here too are the *antient three Estates of the people ordering the principal affairs thereof, which it was King James' intention to establish*."—We certainly have not here *three Estates*, and for this plain reason, that the Court of Chief Pleas alone, then *ordered the principal affairs of the island*,—the Bailiff and Jurats *alone*, for none other have ever had a vote at them—and the States of Deliberation are necessarily of more recent establishment,—the Constitutions of King John prescribing only for elections, and assigning the whole business of the island to the Bailiff and Jurats.

B.—then talks of "*the Lords Spiritual and Temporal*" and the other parties mentioned above as present; as of their being, a "*perpetual memorial of the ancient States, that are now merged into the Court of Chief Pleas*"; and would ignore "*when the Bailiff and Jurats obtained or assumed the whole authority*": I answer again, these *Ministri Domini Regis* have had assigned to them that authority from time immemorial: the other parties present, being there, "*in exit of Court*," due from free tenants to their liege lord.—When subsequently the Constables have been required to attend those Courts, it has been for the sole purpose of answering the questions, and receiving the orders, of the Court, as municipal officers, whose ordinances have been made.—These Courts, then, have ever been distinct from the States, and hence in their acts only the names of the Bailiff and the Jurats are recorded—and it is common to see those acts begin thus, "*Il est ordonné par justice*,"—or "*Il est regardé par justice*," which marks the authority under which the act is passed,—"*justice*," in this sense, meaning the Court.—While itinerant justices came triennially to this island, there was an appeal to them, which now lies to the King in Council, from the decision of the Royal Court.—Subordinate Courts of Fiefs likewise hold Chief Pleas for the business of the tenantry; and from them there lies an appeal to the King's Court.—The *Vavasseurs* of these Courts are likewise *twelve sworn men*, but they are not mentioned in the "*Constitution*."

King John, when possessing the island, as Count de Mortaigne, in Normandy, visited it twice it seems; and, therefore, when they threatened disaffection to him, he might well know what would please them, which would be to confirm the custom of Normandy, as stated in the *Précepte de l'Assize*.—This leads me to observe, that the system of *twelve sworn men*, to render justice to a community, may nevertheless have originally come from England.—Alfred was the first who established it in his dominions, where he divided the country into counties, hundreds, and decennaries.—Rollo, the legislator of Normandy, went twice over to England, and became very intimate with Alfred; they were both of Northern descent.—Rollo was the youngest by some years, and admired his friend's institutions, which were matured before he himself began to apply them to his new country, where he could do so judiciously: and there is this parallel between them, that, as Alfred's legislation is viewed in England as the origin of what is there denominated the COMMON LAW, so Rollo's laws are taken to be the basis of the COUTUME DE NORMANDIE.

Let me here say a few words regarding our States of Election, which, like those of Deliberation, are composed of *three estates*—the Court, the Clergy, and the Parochial Representatives:—now, until the parishes were bounded, until they had their little *corporations*, the States, as at present composed, could not have been

so then :—on the contrary, the parishes and *corporations* might have been constituted as they now are, and yet for awhile the Elective States not have been altered from their original ; and the Deliberative States not have been erected for some time or even long after ; and I think it will appear that such has been the case.—But if, in 1216, these parishes and their establishments existed, then we may say that King John did not like the present mode so well as that which he prescribed.—If, on the contrary, they did not exist, then he did that, which was expedient for the time being, and could not have constructed those assemblies as they now are. Further, I may say, that although defined as three estates now, they are still composed of the same description of persons as formerly ; the Clergy and the Constables and Douzaines of the present day having been before among the "*optimates patriæ*,"—and hence the Clergy now forming a separate estate, is, *as to persons*, no innovation—so the Constables and Douzaines now *only* voting, is not, as to them, strictly, an innovation ; for they are the *mean* between their communities, or at least the *optimates* of them, and the assembly ; and, therefore, represent their constituents as well as themselves.

I now proceed to trace the growth of the parochial constitutions. I shall premise by stating, that the first ecclesiastical division in England which is recorded, is that, by Archbishop *Honorius*, of his province into dioceses ; then called *parochia* ; A.D. 636. But the subdivision of Europe into parishes, (from *parochia*), is not assignable to any particular or limited period, even of years ; it was an operation which must have been very slow and gradual ; not originating in any special order from the pope or other supreme authority ; being only the result of *expediency* consequent on the universal establishment of Christian churches, which could only be required as that religion advanced—as the population of Christian countries increased—and as the means for building them could be supplied. The process was this—as a church was erected with a cemetery, it became necessary to mark and limit the district, the tithes of which should be assigned to it for the support of its establishment ; which, in its turn, would have the *cure of souls* and the charge of the poor of that district ; the system, therefore, was one that necessarily took a long time maturing ; or rather the *expediency* of such an arrangement could not become general, and the means of accomplishing it be found, perhaps for centuries :—and I do not believe that, in Alfred's time, it yet prevailed almost any where ; it would have interfered in England at least with his political division before mentioned, sufficiently to have been noticed in that part of our history ; as the boundaries of the one system must have had some reference to those of the other. That great prince died A.D. 901. I find in the History of Normandy, that Richard the Second was employed building parochial churches in his dukedom, about a century after that ; at the time the monks at the Vale here, received a second accession of strength, about A.D. 996 ; but this island was then yet too thinly inhabited to need any such general division.

It was but a few years before the conquest of England, in 1061, that William of Normandy was called upon by the islanders for assistance against pirates and marauders who were devastating the land, and laying waste all the property of the monks of St. Michael at the Vale ; these, on the arrival of Sampson d'Anneville, sent by the duke, animated the people, who, joining with the Normans, succeeded in expelling the enemy.—Their conventual church, and perhaps a few chapels in its neighbourhood, were, as yet, the only Christian churches, it is believed, on the island ; as the few which had been planted, at a former era, were deserted and in ruins. The "*Terres du Valle*" which the monks had possessed themselves of, were those to the northward of the *Braye*, through which the tide waters ran, and which made of it a separate island ; those lands had been *formally* given to them by a grant from Robert the Second, when he put in there by stress of weather, in 1032, on his way to England, with a fleet to aid his kinsman Harold, I believe ; this grant was in pure eleemosynary tenure.

It is of notoriety, that after the expulsion of the enemy by Sampson d'Anneville, William, afterwards the Conqueror, bestowed one half of the island, taken along the north-western coast, to him and his heirs, and to the abbot of St. Michael in *periculo maris*, and his successors in partnership. Sampson built himself a manor-house, which he called Anneville ; and subsequently assigned a piece of land, specially for a fair or market, on towards the parts now called the Câtel parish ; and to John des Rohais he gave a small fief, higher up ; that he might provide, and keep, a jail for the use of the community.—The population after that, began considerably to increase, chiefly on these joint fiefs of Sampson and of the abbot ; and Raoul de Valmont, sent by STEPHEN of England, soon after Henry the First's death, which happened in 1135, convoked and met

the whole community, at the *market cross* ; (the site of this market is still known, and called *les Landes du Marché* ;) and then and there made with the inhabitant at large, the famed covenant which still obtains, after a lapse of SEVEN HUNDRED YEARS ; that for, and in consideration of the annual sum of £69 : 3 : 11 tournois, to be levied on the land at an equal rate, the inhabitants should never be called out of the island, *without their consent* ; for any service whatsoever,*—At this epoch, however, no mention is made of *parishes*, the community still appears to have been *undivided*, although by a bull in 1155, about twenty years later, the pope confirmed to the abbot of St. Michael, in Normandy, his possessions in Jersey and Guernsey ; and in the latter island, are enumerated the churches of St. Saviour's, of the Câtel, of the Vale, of St. Peter-in-the-Wood, of St. Mary, of Lihou, and of the chapel of St. George in the island of Herm ; but they are not called, any of them, parochial churches ; or any of them alluded to as such, in the bull. Up to this era I meet with no account of a church, or town, or parish of St. Peter-Port :—but on his landing, Raoul de Valmont, had taken possession of the *islet*, where Castle Cornet now stands, giving to its possessor, lands on the main, in exchange, and fortified it ; the owner of the *islet*, when Valmont arrived, was Peter Cornait or Cornet, and we may here date the incipency of our present town ; the family of Cornait was an influential one, which had established itself on that side of the island, and its name pervades the town even to this day. The owner of the islet, (or possibly a son of his, of the name of Peter also), was subsequently, in 1167, appointed governor of the island, and continued in charge, it seems, till A.D. 1203. The protection of the new castle—the residence of the governor—the pleasant site on one of the finest rills, running through a small valley ; and a suitable strand for a small port,† were circumstances which, all, combined to draw inhabitants to this spot ; and another cause may be added, perhaps of still greater importance ; namely, that there were there remains of a monastical property :—we have the evidence of this fact even at this day, in the old cemetery, which still bears the name of *le Cimetière des Sœurs*, and which, therefore, must have belonged to a female establishment : no mention of it is made in history, but I believe it to have been of a very remote date, for reasons I may give you in a future communication. This possession might have been that which Valmont exchanged with Peter Cornait for the islet ; or at least he might have given him a confirmatory grant of it, which possibly the Cornait family had already long used and enjoyed without leave or license. Be all this as it may, the present town cannot be traced back beyond the arrival of this Raoul de Valmont, sent by King Stephen.

Now, according to the *Dédicace des Eglises*, which, though not considered strictly *authentic*, bears with it, nevertheless, tokens of *probable* accuracy at least, the present Town Church was only consecrated ‡ in 1312 ; but although I have, as it were, dated the foundation of our little *metropolis*, more than a century earlier, I may still be right, and the *Dédicace* not unfaithful on that point. In the monastical remains above alluded to, there may have been the ruins of a Conventual Church, sufficiently set up and repaired for the use of the Cornait's family, and the neighbours they might have ; which at a small expense, from time to time, would for a while be rendered commodious for the rising city, until its *citizens* should have the means of erecting a new edifice ; which may, (and not improbably so) have been founded on the site of the old building.—At any rate, there are no tokens of this parish having been defined before 1312 ; but it must have been about this epoch that the island was throughout parochially divided ; for in the *Précépte de l'Assize*, we find it *officially* so described—and this for the first time :—That inquest was made by *twelve sworn men* from each of the ten parishes.—But it is evident that at that date, 1331, and when the extent of the crown revenues was also made by a commission of twelve other sworn men therein named ; that the parishes had not then their municipal establishments of Douzaines and Constables ; for this very weighty, and I should say sufficient, reason ; that the functions of neither of these offices are described in those documents ; while, besides the Governor and his officers, the Court and its officers, we see in the *Précépte de l'Assize*, an account of the *Bordiers* and *Grangiers* :—and if, as it is stated, this inquest

* By the *Précépte d'Assize* of 1331, it would appear that mariners were excepted ; these were to serve, on king's ships and vessels ; wages being paid to them.

† King Richard the Second, of England, granted a duty on shipping, A.D. 1274-5, for three years, to erect a port here.

‡ This church was certainly named *St. Peter-Port* to distinguish it from the other *St. Peter's in the Wood*, on account of the port alluded to ; and *that Saint* may have been determined upon, in connection with the memory of Peter Cornait as the founder of the town.

was not completed till 1441, we must necessarily suppose, that until nearly the midfifteenth century, the parishes could keep the peace without the parochial Constables; and that the church-officers, with the priest at their head, were still able and willing to adjust all differences and perform other parochial business, subsequently assigned to and now discharged by the Douzaines.—I am aware that this does not exactly accord with Mr. Le Marchant's view of the *Jurati* and *Jurat Electors*, which are said to figure in the Chief Pleas Act of 1297, the which I do not possess—but I think, in founding my argument on the *Précepte de l'Assize*, one of our most authentic records, I cannot be far wrong in my view of the subject. From the above reasoning, I would establish, that nearly a couple of centuries may have elapsed between the "*Constitutions*" of King John and the institution of our parochial Douzaines; and that as the present system of Elective and Deliberative States CANNOT have been set up before those institutions, it must follow that anteriorly thereto, the former (*the Elective*) were composed as directed in those "*Constitutions*," by the *Optimates "Patriæ"* taken throughout the community, without reference to parishes: that no Deliberative States could possibly have existed, as now composed, before them; and that possibly no such body or assembly was ever known before; as the whole of the affairs of the island were left to the Court of our lord the King, now styled the Royal Court, in their Chief Pleas: as distinctly directed in those Constitutions as in other subsequent statutes.

I shall here close this communication, and if it should be worthy your acceptance, I may again resume the subject; meanwhile, some other of your correspondents may give us a letter in sight to the formation—1st, of our parishes—and 2nd, of our Parochial Corporations, which we style our Douzaines.

A SUBSCRIBER.

NOTES OF THE MONTH.

GUERNSEY.

A meeting of the States of this island was held on Tuesday, the 18th of July, at which the following Addresses were voted unanimously.

To the Queen's Most Excellent Majesty.

May it please your Majesty,

We, the Lieutenant-Governor, the Bailiff, the Jurats of the Royal Court, the Clergy, the Queen's Procureur, and the Constables of the ten parishes of this your Majesty's island of Guernsey, in the States assembled, approach your Majesty with the expression of our sorrow for the demise of your August Uncle, our Reverend Sovereign. We sympathise with your Majesty, and bowing with submission to the will of God, are consoled by the hope that the same Gracious Being, under whose auspices your illustrious predecessors advanced this great nation to the summit of worldly prosperity and power, may render your reign durable and happy, free from any interruption in its smooth career.

Participating in the general confidence, and fervently praying that the beneficent designs of your Majesty for the welfare of your people may be realized, we offer our heartfelt congratulations on your Majesty's accession to the throne, and dutifully assure your Majesty of our warm attachment and inviolable fidelity.

(Here follow the signatures.)

To Her Majesty the Dowager Queen Adelaide.
May it please your Majesty,

We, the Lieutenant-Governor, the Bailiff, the Jurats of the Royal Court, the Clergy, the Queen's Procureur, and the Constables of the ten parishes of the island of Guernsey, in the States assembled, approach your Majesty with feelings of heartfelt grief for the demise of your Royal Consort, our beloved and revered Sovereign. He will live in the remembrance of a grateful people, for the object nearest to his heart was their good. Anxious to remove defects introduced by the lapse of ages, he was not the less firmly attached to those institutions under which the nation has attained unprecedented prosperity and renown, and determined to uphold them in their original spirit and integrity.

Resignation to the Divine Will, and the benefits of such an example, are the sources of our consolation.

We ventured to hope, on the occasion of our lamented Monarch's accession, that your virtues would operate with impulsive power to raise the tone of public morals. The respect and affection universally entertained for your Majesty attest the realization of that hope.

No one feels more sensibly than your Majesty, that the providence of God orders all the events of the world, and that he has designs of love to accomplish by means of this afflictive, this piercing bereavement. That it may produce in your Majesty the abiding and peaceable fruits of righteousness is our fervent prayer.

(Here follow the signatures.)

Elizabeth College.—*Examiners' Report.*—Having concluded the necessary examinations, we are anxious to submit the following report.

We feel much pleasure in bearing our testimony, in the first place, to the due and fitting attention which the important subject of religious instruction has obtained in the system of this College. The progress of the pupils generally, on this point, has been very satisfactory, especially in the upper division of the sixth, and in the fourth class; the former of these having past a very good examination in the Articles of the Church, and the latter having shown a very accurate acquaintance with the history of the Acts of the Apostles.—In Greek, we examined the two divisions of the sixth class; the upper, in the first book of Thucydides, and in the *Ædipus Coloneus* of Sophocles; the lower, in the first book of Herodotus and in the *Hecuba* of Euripides; and we feel much pleasure in being enabled to report very favourably of the progress of both.—The fifth class was examined in the first book of the *Iliad*, and in the first book of the *Anabasis*, and showed generally an adequate acquaintance with the subject. The fourth class was only examined in one Greek work, a portion of the *An. Græc. Min.* in the course of which we are bound to state that the accuracy of their answers, especially to questions on the rudiments,

ments of Grammar, was such as to merit great commendation; and we trust that sound grammatical knowledge, as forming the basis of all solid education, will ever continue to occupy the attention of all, and especially of the lower classes. We ought to notice in this place that we were much pleased with the progress of this class in Grecian history. The Latin department, although not so excellent in its kind as the Greek, was still very commendable. It was with pleasure that an improvement was clearly discerned in it, above the standard of the last Midsummer examination. This we are inclined to attribute to the attention which has been paid to that important part of all learning, the ground work; the rules, as well as the other parts of the Grammar having been carefully studied. To specify the books in which this was most observable, we may name the *Livy* of the two divisions of the sixth class, and most especially the *Sallust* of the fourth.—The *Oration* of Cicero brought up by the fifth class, demands unqualified praise for the accurate knowledge of the allusions and history connected with it, which was shown by the pupils. The increased knowledge of the Grammar has been already given as a reason for the clear improvement in Latin since last year, but we would still wish to repeat the suggestion that translation from English authors into this language should form an indispensable part of the annual examination. This, we have but little doubt, would shortly set the Latin upon an equal footing with the Greek, as the preparation of the pupils for this part of the examination would demand from them as much attention as they now devote to other subjects. The Mathematical examination proved that this branch had been carefully attended to during the year. The different classes appeared to understand thoroughly what they were called upon to show or explain. One boy, in particular, evinced a great taste for these studies, as well as proved that he had duly profited by the instruction which he had the opportunity of obtaining in this institution.

Having thus expressed our sentiments as to all the subjects brought before us, we are desirous, in conclusion, of signifying to the Directors the happiness which we feel in being called upon to make this report of the different classes. And we have only to hope that the high standard in the various branches, and especially in Divinity, may be zealously supported and maintained at all future examinations.

THOMAS BRISCOE, M.A. } Public.
CHARLES L. CORNISH, M.A. } Examiners.

July 6, 1837.

THE HARBOUR.—The Report of Mr. James Walker, the celebrated civil engineer, on the Harbour and Roadstead of this island, has been received, and is now in possession of the members of the States. The Report commences with a general description of the locality and site of the present Harbour, and its distance from the nearest English and French coasts: it states the variation in the flow and ebb of the tides; points out the defects that now exist, both outside and within the present piers, and enlarges generally on the natural and artificial character of our Harbour.

Our readers are aware that many of our local amateur engineers have devised plans for correcting evils that all deplore, and though this multiplicity of schemes may have had some tendency to create the jealousies of rivalry, yet it has had the good effect of producing a searching inquiry into the most minute details, and collecting a mass of information gratuitously, which could scarcely have been brought together by any other means. Mr. Walker has availed himself of the facts and observations of the natives, and thus proceeded to his work with

singular advantages. His office has been rather to select and arrange from ready prepared documents, than go through the fatigue of acting as his own pioneer. These obligations and this assistance he has most honorably acknowledged with the frankness of a man of genius, who scorns to dress himself up in borrowed plumage. He thus proceeds to state the essential points which he deems worthy of adoption.

"The question then arises, what ought to be done in the way of improvement for securing vessels, when in the Harbour, against damage, for the more convenient loading and unloading of their cargoes, and for the landing and embarking of passengers by steamers?—for all these are properly Harbour improvements, or so connected with it, as to form one work, and certainly, if I may judge from the variety of plans that have been proposed, the subject has had the best attention of the principal inhabitants, and of none more than the worthy Bailiff, Daniel De Lisle Brock, Esq., and his brother, John Savery Brock, Esq., Colonel De Havilland, Mr. Collas, Mr. Goodwin, Captain Martin, and others also gave me their designs or ideas, the features of which they will recognize in what I have recommended in the accompanying Plan; and having thus profited by all their suggestions, which indeed exhaust the subject, it will be seen that what I have to propose has little of novelty in it.

The Plans, though numerous, may be considered as distinguished by one of three features.

First.—A Breakwater to the south of the Harbour between the land and Castle Cornet.

Secondly.—Additional Harbour room, with Docks; and

Thirdly.—Additional Piers for Harbour room and landing only.

The Breakwater from the Terres Point towards the Moulinet and thence to Les Huitrières, or the Castle, would be a splendid work, and would form an effectual defence to the Harbour and the property on both sides of it, against all the southerly and easterly winds, while it would give an outer Harbour or Roadstead of about 30 acres, with an easy entrance, safe against all seas, having 14 to 23 feet at low water of spring tides, or 22 to 31 feet in neaps, and the bottom, with some exception, good anchorage. Government may think this Breakwater worthy of consideration, but if done it must, from the great expense, be a Government work. The cost estimated from the soundings in my possession, which are however too few for accuracy, would be about £150,000;—and as regards Harbour berth for trade, Quays, and landing or embarking passengers by steam packets at Wharfs, no additional space or convenience would be given. New Quays might, to be sure, be formed to the southward upon the site of the new Harbour, but this diversion of trade would be injurious to the present town, and inconvenient of approach from the high and precipitous ground behind.

The plan which, on consideration of all circumstances, I think most advisable, is—

1.—To add 10 feet to the present South Pier, so as to increase the width on the upper level from 15 feet, its present width, to 20 feet, and that of the lower, or cartway, from 20 to 25 feet. The upper level to be divided into a way 15 feet wide, suited for carriages, and a narrow footpath on each side for passengers to retire upon when vehicles are passing;—the parapet to be raised 3 feet above its present level and widened at top, to throw off the spray. The estimate of this is £3,500. The additional width will be obtained by advancing the low walls next the Harbour 10 feet more into the Harbour, which will be so much taken off its area; but this will not be important, particularly when the second divi-

sion of the Plan (to which indeed I consider the above, though put first, as subsidiary,) is considered.—This is,

2.—To extend the South Pier from the Globe, or south-east angle, 800 feet in a north-easterly direction, to the same height and width, and divided in the way, as the present South Pier is above described as intended to be—the back or south line to be formed, (as will be seen by the Plan,) so as to throw off the south-easterly seas from the Harbour. This wall will be a direct preventative from southerly seas entering the Harbour, and protection from the north-easterly winds will also be given by throwing out from the inside of the Pier an arm pointing in a northerly direction. These works will eventually form the south side and South Pier-Head of an outer Harbour; and by a little deepening on the north side of the extreme part of the Pier, passengers and goods by steamers may be embarked and landed at the Pier at all times, except low water of spring tides—to facilitate which I propose one or two short jetties to be formed by piles and planking, so that vessels may come close alongside, and also steps for convenient landing, and arches under the south arm of the present pier, and the proposed new south arm, to allow carts to pass along from the old low quay to the proposed new continuation. I estimate this new Pier at £35,000, and my opinion is that it alone will go far to remove the principal wants and evils I have before described: it is, therefore, the most important feature in the Plan, which ought to be executed without delay, as of itself an integral work, if from the want of resources, or otherwise, there should be a reason for postponing the other parts herein described.

3.—In order to break the heavy seas from the South Pier and from the property south of the Church, I propose a partial breakwater upon Pierre de Havelet, and extending out to La Vermière, of an irregular shape, to take advantage of the highest part of these rocks. The increase of swell after the tide rises over the present rocks, will show how much good would be done by raising them even partially to or above high water.

I would also recommend a small addition to the rocks on the north-west of Castle Cornet, thus adding to the partial Breakwater formed by the rocks on both sides of the Channel within the Castle, but leaving the passage for vessels entire. I do not, however, propose these to be expensive works. I have not a section of the rocks, and therefore cannot estimate the cost, but I think about £10,000 would accomplish this.

4.—The fourth improvement in order should be adding say 15 feet to the width of the west Quays, between the present Harbour and the buildings, and forming a sewer in this place, to receive the drains, and convey their contents to either end, without going into the Harbour. The sewer may be built in the additional width, and thus have its discharge directly into the sea—the expense would be about £3,000.

5.—The next proposed work is to raise a Pier nearly in the line of Deschamp's Causeway, running towards St. Julien for a length of about 600 feet, and then turning by a curve in a southerly direction for about the same length; the termination of this wall to form the North Pier Head of the entrance to an outer Harbour, of which the south Head will be formed by the arm branching from the new South Pier, as already described. Thus an outer Harbour will be formed, having an entrance 100 feet wide, bearing E. N. E. from the present entrance, with Quays, all of which may, by small jetties at different levels, and stairs as before described, be convenient for steamers, as the tide reaches the different heights. The outer Harbour will

be sufficiently quiet and safe, and the inner of course much more so. By erecting a wharf-wall from the elbow of the present North Pier in a line nearly parallel to the shore, and filling in between the shore and the new wall, a range of wharfs or quays, 800 feet long by 160 deep, exclusive of the continuation of Glatney Esplanade, might be formed, which would be very suitable for ship yards, and therefore valuable for letting.

Owing to the want of suitable accommodation at Guernsey, at present, timber-laden vessels are stated to proceed to Jersey, where their cargoes are unloaded and stored. The outer Harbour will be nearly 15 acres in area, which is, I apprehend, greater than is now required; but from the necessity of extending the south side towards low water, and the rocks at Deschamp's Causeway forming a proper site for the North Pier, the great space is obtained at a very much less expense in proportion, than any smaller area would be; while the expense of any future enlargement of a small plan would be great. Having tried, and, at one time, had the idea of recommending the extension of the present North Pier, in place of a new Pier upon Deschamp's Causeway, I found the estimate for one-third the space amount to about two-thirds of the larger plan.

The only tenable objection I can see to the plan now recommended, is that so large a space with a small opening may increase the unpleasant effluvia that rises from the Harbour at low water. To guard against this, it may be desirable not at first to finish the North Pier Head, or the entrance, to a width of 100 feet, but to leave a greater opening, and the head unfinished, until a trial of what is, on the whole, the proper thing, has been made. The expense of this new North Pier, I make £30,000.

The amount of the above estimates collected is £81,500.

I have placed the works in the order in which I understand they ought to be done; it being understood that the widening of the present South Pier is part of the plan for the extension of that Pier to low water, and not to be done without. It does not necessarily follow, as has been already stated, that the outer Harbour should be completed at first; the South Pier and rough Breakwaters will be found extremely useful in themselves, and may be further extended afterwards, as shewn by the dotted lines, when the funds will afford it.

When the above works shall be completed, I think there will be but little more to desire for a dry Harbour, which, excluding the consideration of the roads, this must always be, until Docks are formed.

That Docks, to keep heavy vessels and steamers always afloat, would be a most desirable addition, there is no doubt; at some time, they may be constructed, and at any rate, it would be short-sighted not to have reference to them in the plans, so that these may not be in the way of, or inconsistent with, the formation of Docks at any future period. I have therefore, sketched, in dotted lines, where Docks may be formed. The site is much the same as Mr. Collas proposed, though with a different arrangement, particularly of entrances.

A spacious Dock of 11 acres area, with 3,000 feet in length for quays and warehouses, may be made, or one of a smaller size, as shewn—but if the outer Harbour be formed and a Breakwater made to protect the Roads, which is not yet referred to, it is likely to be some time before Docks become requisite. At the same time, a great increase of trade will be the natural result of the improvements now proposed; these may give an impulse and consequence to the island, beyond that which at present exists, and which cannot be calculated.

Before leaving the department which concerns almost solely the trade of the islands, I must allude to the protection which the White Rock and the rocks of Sarderette and Goubeaux adjoining it, give against the north-easterly winds and the facility the White Rock affords for increased shelter, by the erection of a Breakwater. Should such be found requisite, it may be made at a comparatively small expense, and so constructed as to afford means for landing passengers from the packets at very low tides, without interrupting the passage to the northward, for vessels inside the White Rock at high water. I consider the preservation of this passage, and also that between Castle Cornet and the Vermière rock, expedient in any scheme of improvement.

After the extension of the South Pier, as I have proposed, a Breakwater from the north-east angle of Castle Cornet, to protect the Inner Roads, is the most important measure. I have made this point the last in order of consideration, because, as I have already said, all the others appear to have reference to the trade of the port of the island only, while the object of a Breakwater for the Inner Road is more public, embracing the convenience and safety of Government vessels, of small draught of water, and of armed steamers, which draw less water, and are likely to be a powerful instrument of offence or defence to the channel trade in case of war.

The smaller or Inner Roads, which will be protected by such a Breakwater, have 24 to 29 feet at low water of neap tides, and 15 to 20 feet at low water of spring tides, as has been stated at the beginning of this report. His Majesty's ships anchor in the Outer Roads, when there is plenty of water, which enables them to get to the northward, clear of the rocks, in case of being obliged by heavy gales to leave their station, but the expense of protecting these Roads would be very great. All that is likely to be done, therefore, or assisted in by the Government, in the way of Breakwater, is either on the north side of Castle Cornet, for protecting the smaller Roads, a work which, if extended to Les Tremises only, will cost about £15,000, or on the other side of the Castle, from its southern point to Moulinet, and thence to Terres Point, forming a new roadstead; but, as I have already stated, this would be a work exceeding £150,000.

The very great works at Cherbourg, and the still greater now forming at St. Malo, as described to me in a letter from your Bailiff,* prove the consequence which the French Government attach to the question; and I believe the importance of the Channel Islands, in case of a war with that country, is generally allowed by military men. That Guernsey has been so considered by Government is proved by the very great outlay in the erection of Fort George,† as well as by a naval squadron of five or six frigates,

* Substance of a letter from the Bailiff to Mr. Walker, dated 8th May, 1837.

† The consideration of the great works at Cherbourg, and those now doing at St. Malo, might induce Government to contribute towards procuring a proper shelter for steam vessels on this station. I say steam vessels, because naval and military operations, combined in short distances, will assuredly be carried on by steamers. Two such Harbours as Cherbourg (.... leagues off) on the north, and St. Malo on the south of these islands, must place the latter in a very exposed situation, unless they be protected by the same kind of force as that by which we shall be threatened. There is no work in England of equal magnitude with Cherbourg, and St. Malo will be the largest basin or wet dock in Europe."

† I think from 2 to £300,000 was stated.

with an admiral being stationed there during the war, the better roadstead and the less exposure to south-westerly winds, appearing to give to Guernsey the preference to Jersey, in the opinion of the Admiralty. Even, however, should the Government give no assistance, an eastern Breakwater would be desirable, for the protection of the Small Roads; but as these Roads must, when protected, be useful, particularly to armed steamers, I should recommend that nothing be done in this business, without a previous communication with the Admiralty; and their preferring the Breakwater from Les Terres to Moulinet might influence the plan for the extension of the South Pier.

I have gone upon the principle of preferring the protection of the Inner Roads chiefly from its cheapness, and the opinion that it is adequate for steamers and small vessels, while the Outer Roads, which have greater facility for sailing with all winds than to the west of Castle Cornet, would continue to be the station for men of war.

J. WALKER."

23, George Street, Westminster,
16th June, 1837.

ALDERNEY.

The following Addresses have been voted by the States of Alderney, at a meeting of that body held on the 12th July last:

To the Queen's Most Excellent Majesty.
The Humble and Dutiful Address of the States of Your Majesty's island of Alderney.

Most Gracious Sovereign,

We, your Majesty's dutiful and loyal subjects, the acting Lieutenant-Governor, the Judge, the Jurats, the Queen's Officers, the Minister, and Douzeniers of your Majesty's island of Alderney, in the States assembled, and in the behalf of the inhabitants thereof, desire most humbly and respectfully to approach your Majesty with the expression of our devoted attachment to your Royal Person.

We are, from feelings and duty, called upon to express our condolence with your Majesty, on the demise of our late revered and gracious Sovereign, whose virtue endeared him to his subjects; the deep affliction which that mournful event has caused to the nation at large, is nevertheless alleviated by the consolation derived from the accession of your most Gracious Majesty to the throne of these realms.

Though separated from the rest of our countrymen, we most respectfully approach your Majesty, to offer our hearty congratulations on your Majesty's accession to the throne of the United Kingdom of Great Britain and Ireland, and to renew that devoted and ardent loyalty which it has ever been the pride of the inhabitants of this island to maintain inviolate to your Majesty's predecessors.

Most sincerely do we implore the Almighty Disposer of events to bless your Majesty with a long and prosperous life, to reign over a happy and devoted people.

Island of Alderney, July 12, 1837.

(Here follow the signatures.)

To her Gracious Majesty ADELAIDE, the Queen Dowager.

The Humble and Dutiful Address of the States of the Island of Alderney.

May it please your Majesty,

We, the acting Lieutenant-Governor, the Judge, the Jurats, the Queen's Officers, the Minister, and Douzeniers of her Majesty's island of Alderney, in the States assembled, and in the name also of the inhabitants thereof, desire most humbly and dutifully to approach your Majesty, to offer our respectful and heartfelt condolence upon the occasion of your Majesty's deep affliction, by the demise of our late revered and beloved Monarch.

In woe like this, there can be no relief in

words: there is but one power who can soothe, and who can administer the balm of consolation to your Majesty, and the fortitude with which your Majesty is endowed, leaves well grounded hopes in the nation at large, in sympathising with your Majesty, that the decree of an all-wise and unerring Providence will have its due consideration with your Majesty in affliction.

The benefits which have been derived to the country from your many virtues, and the tender and assiduous care with which you soothed the last hours of our lamented Monarch, preceded

by the domestic happiness which resulted from that union, will long be felt with deserved admiration through all parts of his late Majesty's dominions.

Most sincerely do we implore the Almighty Disposer of events to preserve your Majesty many years, and thus afford the nation a prolonged opportunity of testifying the respect and attachment which your Majesty so justly deserves.

Island of Alderney, July 12, 1837.

(Here follow the signatures.)

JERSEY.

The following Addresses have been voted by the States of this island to Her Majesty Queen VICTORIA and to the Dowager Queen ADELAIDE: To her Most Excellent Majesty, Our Sovereign Lady Queen VICTORIA.

May it please your Majesty,

Your Majesty's Faithful States, the representatives of Your Majesty's loyal subjects, the Inhabitants of the island of Jersey, humbly offer the expression of their unfeigned sorrow and their early condolence to Your Majesty on the severe loss which the British Empire has lately sustained by the demise of Your Majesty's beloved Uncle and Predecessor King William the Fourth.

The Channel Islands are the small, but not inglorious, remnant of the ample Dominions anciently possessed on the adjoining Continent by Your Majesty's Royal Predecessors, and it is now with feelings of gratitude and exultation that Your Faithful States dwell on the remembrance of the loyalty of their ancestors, a loyalty which has not been diminished by the lapse of centuries, and which, during that long period, was never shaken, even under the most trying circumstances in the unavoidable vicissitudes of human events. Both on the soil of their ancestors, they have inherited from them the same ardent attachment to their country, and to that uninterrupted dynasty of sovereigns, now so happily represented in Your Majesty's Sacred Person.

Your Majesty's Faithful States therefore humbly offer their sincere congratulations on the accession to the Throne of these Realms, of a Sovereign whose earlier years have been trained to British views and feelings by an Illustrious Parent, and whose reign begins with the fairest prospect of happiness to a populous, a contented, and a prosperous empire.

May then Your Majesty rival the most successful of Your Royal Predecessors, not indeed in the brilliancy of military achievements, and the doubtful advantage of foreign conquests, but in being enabled, under the blessing of Providence, to preserve the British Constitution unimpaired, and to afford Your Royal Protection to the Christian Religion, without whose benignant influence even civilization could not exist.

(Here follow the signatures.)

To Her Most Excellent Majesty ADELAIDE, Queen Dowager.

May it please Your Majesty,

In the midst of the general mourning and the profound affliction, which at the present moment pervade every rank and class of society, for the death of a mild and magnanimous Sovereign, whose public career endeared him to his subjects as a constitutional King,—the Father of his People,—and whose private relations were distinguished by the most gracious condescension and the most comprehensive benevolence, may the Faithful States of Her Majesty's island of Jersey be permitted to offer their humble expression of the sorrow in which they so largely participate, and to console in those regrets which have so deeply sunk into Your Royal bosom, and which are in an eminent degree so peculiarly your own. But this dispensation of

Providence, severe and overwhelming as it may seem, is not without those consolations which are to be derived from the recollection of the past, and from the hopes of the future.

Her Majesty's Faithful States will advert but to the true and substantial glories of the late reign, in the successful efforts of His late Majesty for the preservation of peace, both at home and abroad, in the unbounded confidence and affections of his grateful subjects, and in that bright example of religious and moral purity, which Your Majesty has ever displayed, and whose salutary encouragement has diffused itself around from the mansions of the great to the cottages of the poor.

And if the Faithful States can indulge a hope for the future, it is that the Almighty may supply Your Majesty with such a measure of religious firmness as may enable you to be comforted under this calamitous bereavement, that Your Majesty may enjoy many long years of health and tranquillity, and continue to be a pattern of all those religious and moral virtues, which reflect a lustre on your illustrious station, and which, for ages, have been hereditary in the Protestant Sovereigns, from whom Your Majesty is descended.

(Here follow the signatures.)

CHAMBER OF COMMERCE.—A general meeting of the Chamber was held, in consequence of the following letter, which had been addressed to P. W. Nicolle, Esq., Vice-President, and signed by eleven of the members:

"Jersey, 30th June, 1837.

"We, the undersigned members of the Chamber of Commerce, request that you will, in conformity with the 10th Art. of the regulations, call a meeting of the Chamber, for the purpose of taking into consideration a law for the regulating of distilleries, lately passed by the States, and most materially affecting the commercial interests of this island. (Here follow the signatures.)

"To Philip W. Nicolle, esq., Vice-President."

Mr. Nicolle read the law on distilleries, which was passed by the States at their sitting of the 20th June last, of which the following is a translation:—

At the States of the island of Jersey, the 20th June, 1837.

Whereas the regulations concerning distilleries are not found sufficiently effective to protect the public revenue, and prevent fraud in this island, as well as in England. That it is the duty of the States to prevent, as much as lays in their power, the fraudulent introduction of foreign produce in the mother country, under the denomination of Jersey produce; that there is reason to think that that mode of smuggling has been recently practised; and whereas several distilleries are on the eve of being established in this island; the States, by virtue of the authority to them granted by the order of his Most Excellent Majesty in Council, under date of the 20th September, 1809, have resolved to enact the following provisional regulations, which are to be put in force in this island, and be observed accordingly:

Art. 1.—The distillation or manufacture of all kinds of liquors, from liquids, or other foreign produce, of whatever nature soever, is forbidden

and prohibited in this island, under pain of having the said liquor confiscated, and of paying a penalty of one pound sterling per pot. Such persons as may have gin that has turned yellow, will be allowed, in order to render it colourless, to have it distilled, on giving a written notice to the agents of the impôts, at least twenty-four hours before the said spirit is sent to be distilled, and they shall not be allowed to alter its strength. The agents of the impôts may appoint a person to inspect the said process, who shall receive from the said agents the sum of sixpence per hour, which sum shall be refunded to them by the distiller.

Art. 2.—Every distiller or liquor manufacturer shall give a written notice to the agents of impôts, twenty-four hours at least before he begins to distil, of the kind of indigenous produce he intends to distil, in order that the said agents may be able to satisfy themselves, or the person appointed by them, of the legality of such distillation, under the penalty of fifty pounds sterling for every such trespass.

Art. 3.—A person shall be specially appointed by the said agents, to inspect every distillery whenever they are set to work.

Art. 4.—The person so appointed shall be paid by the said agents, at the rate of sixpence per hour, during the time that person shall be therein employed, whether by day or by night; but one half of that amount shall be refunded to the agents by the distiller.

Art. 5.—Every time a still will be set to work, a true and faithful written declaration shall be made to the said agents, by the distiller or manufacturer, explaining the quality and quantity of the liquor so distilled or manufactured, with the degree of strength of the said liquor, under pain of confiscation of the same, and of a penalty of one pound sterling per pot; the said declaration shall be signed by the person appointed to inspect the distillation.

Art. 6.—Should the liquor so distilled or manufactured be afterwards re-distilled in order to increase its strength, the distiller shall be equally obliged to give a written notice of it to the said agents, at least twenty-four hours before he fills up his still, as is specified in article 1 of the present law, under the penalty of fifty pounds sterling for every trespass.

Art. 7.—The return of impôt duty shall be allowed on the exportation of liquors so distilled or manufactured in this island, from the growth and produce of this island, at the same rate and in the same manner as is practised for spirituous liquors which are imported, provided they have undergone no alteration or mixture since the time they have left the still.

Art. 8.—The agents of impôts shall be allowed to visit the distilleries, whenever, and as often as they think proper. No distiller shall refuse them an entrance therein, either by day or by night, under a penalty of fifty pounds sterling for every trespass.

Art. 9.—No liquor shall be allowed to be sold from any distillery or liquor manufactory, or from any house, store or other building communicating with a distillery or liquor manufactory, unless the said liquor be in casks containing at least one hundred and twenty pots, under a penalty of fifty pounds sterling for every trespass.

Art. 10.—No one shall be allowed to deposit or keep foreign spirits in a distillery or liquor manufactory, nor in any house, store or other building communicating with a distillery or liquor manufactory, under a penalty of one hundred pounds, and the confiscation of said spirits, except in the case specified in article 1.

Art. 11.—The produce of all confiscations and fines shall be divided as follows: one half shall be paid to the informer, and the other half to the revenue of the impôts.

(Signed) FRANCIS GODFRAY, Greffier."

A very long discussion then took place, in which the several speakers agreed in the opinion that if the above law was put in force, it would be the means of causing a very serious injury to the trade of this island. The Chamber were, with the exception of a few members, who declared they were not prepared to give their opinion, unanimous in adopting the following resolutions:

Resolved,—That it is the opinion of this Chamber that the law recently passed by the States of this island, for the regulation of Distilleries, is detrimental to the commercial interest of the island, more particularly as relates to the re-distillation of spirits of foreign growth and manufacture, and also the distillation of spirits from materials of foreign growth.

Also resolved,—That seven members be added to the committee of the Chamber, for the purpose of framing a petition to the States, praying that assembly to revise the said law for the regulation of distilleries in this island; and that it be an instruction to the committee to petition the States to allow, as heretofore, the distillation of spirits from materials of foreign growth and manufacture, under proper regulations; and that the said petition be laid before the Chamber in as short a time as possible.

PARISH MEETING.—A meeting of *Principaux* and Parochial Officers, presided by Mr. Constable Perrot, took place on Thursday last, at the Militia Arsenal, to receive the report of the committee on the subject of reform in our local institutions. The president having stated the purport of the meeting, Joshua Nicolle, Esq., read the following

REPORT.

Your committee appointed by an act of the parish assembly, held on the 1st June instant, "to take into consideration the state of the public interests of the island, and to deliberate on means for effecting a reform of the laws and institutions of the country," having, in obedience to the unanimous resolution come to at that meeting, anxiously deliberated "on the flagrant abuses notoriously existing in our judicial and legislative institutions," beg to report the unanimous opinion of your committee on the remedial measures to be recommended for public adoption.

It is scarcely necessary to premise that a constitution given to the island, so far back as the reign of King John, however well suited to the manners, understanding, and character of our ancestors, must be ill adapted to modern times, when the state of things is so essentially changed by the spread of knowledge, the extension of our commerce, and our foreign relations. Moreover, this constitution, which gives to the people limited and very inadequate representations in the island legislature, is opposed to that rational liberty which should be the basis of the government of every free country. As the making of laws is the province of the legislature, and the reforms expedient to be adopted for the removal of the defects and abuses universally admitted to exist in the States and the Royal Court, ought to emanate from responsible representatives of the people, it appears to your committee that the first step to be taken towards a wholesome and efficient reform, is the formation of a legislature whose members are elected by the free choice of the people; so that the choice of the legislature should be substantially that of the people. As the States of Jersey are at present constituted, twenty-four out of thirty-six of the members are irresponsible to the people; inasmuch as the Jurats being elected for life, cease to be accountable to their electors for their acts when once chosen; and the Rectors of the parishes, holding their seats in the States by virtue of their sacred office, are in no way representatives of the people.

It is an established maxim in free States, that

all who contribute to the expenses of the country ought to be satisfied concerning the application of the money contributed by them, consequently they ought to have a voice in electing those who have the power of applying their money. This rule cannot be said to be extended to the people of Jersey, and this defect in their representation in no small degree accounts for the too frequent instances of lavish expenditure, and injudicious use of the public revenue. Your committee, therefore, considers that there can be no security for the public welfare, except by means of representatives who have rights and interests to protect in common with the people at large. However necessary the Clergy may have been as part of the legislature when the island constitution was granted, that necessity has long ceased, and it need scarcely be added that the duties imposed upon the Rectors as legislators, are often, if not altogether, incompatible with the spirituality of their sacred office, and opposed to the religious tendency of their obligations.

Perhaps in no civilized country, can there be found such a total absence of written laws, to govern the decisions of the magistracy, as in Jersey, and to this lamentable defect may be traced evils, not only subversive of the dearest rights of the people, but derogatory to the national character. To remedy this crying evil should be the first duty of a reformed legislature; and, in order that the laws should answer all the ends of good government, they should be adapted to the genius and character of the people, and their circumstances, connections, and general interests: and that they may be respected, and secure confidence, they should originate with the people themselves,—which would be the case if they were fairly represented in the legislature.

Hitherto your committee have confined their report to the expediency of a reform of the island legislature, by infusing into it a more popular character, and excluding irresponsible members, who not only cannot be considered as representatives of the people, but whose other avocations are incompatible with the duties of legislators.

In turning to the Royal Court, the first glaring defect that presents itself is the mixed character of its magistracy. It requires no argument from your committee to establish the evil of vesting in the Jurats the power of making and dispensing the law. The blending the legislative and judicial functions in the same individuals is opposed to every principle of good government; and until the justice of the country is dispensed by a magistracy stript of political interests, the person and property of the subject must be exposed to the passions, bias and caprice, attendant upon political strife.

The monopoly of the bar, by limiting the number of Advocates to six, independently of the Crown Officers, has long been admitted to be a serious interruption to a practical and effective administration of justice, and the more especially as in the present day, when, out of six Advocates, only three are at the service of the public. This exclusive power thus given to the Advocates renders them independent of the public; and this, coupled with their political characters, often has a tendency to great oppression. Moreover, it produces an influence on the bench opposed to the independent exercise of the magisterial functions.

Numerous other grievances, long felt and complained of, arising from the defective institutions of the island, might be recapitulated and urged in support of an efficient reform; but your committee desire, in this report, to confine the attention of the assembly to the leading points already specified, without condescending to other subjects which would be better considered when an efficient legislative reform is accomplished. They cannot, however, close their report with-

out adverting to two other important subjects well deserving the gravest consideration of the public.

1.—The extension of the representation of the people; in order that the population and property of the country may be more adequately and fairly represented. On this point it needs scarcely be remarked, that it is quite inconsistent with the liberal principles which should govern a free state, that the chief town, containing one half of the population of the island, should only send one representative to the States, while the same privilege is equally enjoyed by the smallest parish in the island. The town of St. Helier should, in the opinion of your committee, have an influence in the States in proportion to its extended commerce and vast increase of population, and, this point being conceded, would lead to the whole representation being proportionately increased, which would of course infuse a far more popular character into the legislature of the island; and, by periodical elections, render its members accountable for the faithful discharge of the trusts confided to them by the people.

2.—Trial by jury in civil and criminal causes. To enlarge on the great benefit that would be conferred on the people by the security such an institution would give to the person and property of the subject, must be unnecessary in the present day. It is adverted to as a safe measure to reform many of the abuses that have long prevailed in the Royal Court, as embracing an important part of the reform now in agitation by means of a petition of the inhabitants at large.

Your committee, therefore, recommend, for the reasons stated, that a petition be framed for public signature, to be presented to the States, for the reform of the constitution of that assembly, by a fair and equal representation of the people, and in order that the legislature may speak the public voice, that no members be elected to that assembly but such as are periodically elected by the people.

Your committee have abstained from suggesting the precise measures for carrying a legislative reform into effect. As that great work should originate in the assembly of the States, it is desirable, in the first instance, to abstain from entering upon the consideration of any particular plan; the principle and necessity of the reform recommended being once admitted, it is to be hoped that there is wisdom and patriotism in the island sufficient to accomplish it upon a popular, safe, and firm basis.

Your committee have further to recommend as a great improvement in the institutions of the island, auxiliary to a safe, expeditious and cheap administration of justice, that local justices of the peace be appointed to hear and decide civil and criminal causes of a limited nature.

A petition prepared by the committee for the consideration of the assembly was also about to be read when,

Constable Perrot rose and said, that he approved of some parts of the Report, but that he could not at present give his assent to the whole. Moreover, he could not allow the Petition to be read, as it did not form a part of the report of the committee.

Upon this objection being unexpectedly raised by the President, a considerable discussion arose, after which, to obviate the difficulty, the committee went to another part of the room, and decided on appending the Petition to the Report, so as to form a part of it.

Judge Nicolle then read the petition as follows: To Sir John De Veulle, Knight, President, Major-General Archibald Campbell, C. B., and the Members of the States of Jersey.

The humble petition of the undersigned inhabitants of the island of Jersey,—Sheweth, That the constitution of this island has continued up to the present time, from the date of

its original grant in the reign of King John, without any essential change or improvement; and there needs no argument to show us that a constitution which might be well suited to the ancient order of things that prevailed at that distant period, is totally inadequate to the improved commerce of the island, both at home and abroad, and to the present enlightened age.

That the people of Jersey have long complained of grievances, which result chiefly from the defective laws of the island, the mixed character of the members of the Royal Court, in whom are blended legislative and judicial functions, and the want of an equal representation in the States; only one third of which body can be considered responsible representatives of the people. Owing chiefly to the absence of a sound code of laws, and to the defective administration of justice, combined with the irresponsible character of two thirds of the States, there has always been, within the oldest memory, a constant strife maintained in the island for political ascendancy, which is injurious to public improvement and destructive to social happiness.

That your petitioners, desirous of avoiding the discussion of grievances that can be considered to reflect upon existing authorities, content themselves at present with inviting the attention of your assembly to its constitution, and to compare it with that of the legislature of any free state in the civilized world; and the more especially with the reformed Parliament of the United Kingdom. It is not denied that Jersey has no code of laws to govern the ordinary business that comes before the Royal Court, and when the extensive population, commerce and wealth be considered, the framing of good laws and the securing their upright and safe dispensation should be the first duty of the legislature. That laws suited to the wants, habits and privileges of the people should be constructed,

it becomes necessary that they should emanate from representatives freely chosen, and who are responsible for their acts by means of periodical elections. The Jurats being elected for life, and the Rectors having seats in the States by virtue of their sacred office, without any election, two-thirds of the States are independent of the people, and in no way responsible to them,—a system opposed to the principles of a free and enlightened government.

That the representation of the people, in order to be free and equitable, should be fairly apportioned throughout the island; but according to the existing constitution, the parish of St. Heller, which contains nearly one half of the population, and where almost the whole commerce of the island is transacted, has only the power of deputing one member to the States, which is the privilege of the smallest parish in the island. Moreover, it should be a right inherent in every free state that no tax should be imposed or the public money expended without the sanction of the people, through their representatives freely chosen; and if that principle prevailed in Jersey, many of the grievances often urged by the people of this island, would have had no foundation or been subjects of public inquiry and strong party animosities.

That while your petitioners purposely abstain from suggesting any precise plan for an extensive improvement and reform of your legislature, they trust that you will entertain their present petition, by taking into your serious consideration proposals for securing to the people a full, free, and equal representation, in order that the laws may be compatible with the general good and liberty of the subjects, and be respected and cheerfully obeyed by the people, for whose benefit and happiness alone they should be constructed.

And your petitioners will ever pray, &c. &c.

SARNIAN MELODIES.—No. 12.

MAY MORNING, OR ODE TO A NIGHTINGALE.

Come, sweet my nightingale, and twine
Thy melancholy song with mine,
Ere yet the lordly sun doth rise
To shed his splendour o'er the skies,
And the soft morning star alone,
Upon her high, precarious throne,
Sees all her bright companions fade
Successively, yet cannot aid
Their lustre by a single ray,

That might one short-lived hour retard their swift decay.

Thus every hope my breast that glids
And each dream that my fancy builds,
Scared from my path as constant fly,
As shadows fall and pass and die;
But on the soul, with lightning force
For aye imprint their transient course,
And what avails that I recall
Their memory 'fore my mind again,
I can but mourn this early fall,
The elusive truth is fled that glittered in their train.

Then come, my songstress, where the dew
Perfumes this bower of roses fair,
And sweetly blushing violets blue
Their tributary fragrance bear;
Approach, my charmer, quit the grove,
And on soft pinions hither move;—
Our mutual sorrows we'll reveal,
And, if for mine thou canst not feel,
Still shall thy notes my bosom ease,
For e'en in Grief and Pain companionship doth please.

P.

THE

GUERNSEY & JERSEY MAGAZINE.

SEPTEMBER, 1837.

REFLECTIONS ON SUICIDE.

THE precepts of Christianity so clearly declare the sinfulness of suicide, that no man impressed with a proper sense of revelation would even meditate, much less perpetrate, the crime. It is unfortunately, however, constantly committed, and in the majority of cases, attributed to insanity, in our opinion, with very little show of reason. On this point, a brief review of some of the most celebrated suicides of antiquity and modern times, may enable us to detect other motives than madness; after which, we shall offer some reflections on the subject.

The first famous suicide recorded in history, is that of Sesostris; he had desolated the world by his arms, and captive monarchs were harnessed to his chariot. Becoming blind, and no longer able to feast his eyes on scenes of cruelty, his charm of life was gone, and he put an end to his existence.* Surely this act is not to be ascribed to insanity, unless we proceed one step further, and consider his whole life to have been a tragedy of madness, of which this was the closing scene. Some historians, indeed, have praised both his life and death, thus insulting, at once, the human race and the laws of nature; we impute his suicide simply to the regret that he felt in being unable to witness any further exhibitions of remorseless barbarity.

An oracle declared to the Romans, that victory would attend their arms, if a general would sacrifice himself for his country. Codrus, and the three Decii, voluntarily immolated themselves on the altar of patriotism. Were these acts of insanity, in the sense which supposes that reason is lost? We think not; and though the case be not exactly parallel to that of a forlorn hope in modern warfare, in which there is a chance of escape, yet the difference, in a practical view, is scarcely perceptible.

The earth opened in the centre of Rome; the people feared that the

* Diod. Sic. Lib. 1.

chasm would go on extending itself; in this emergency, the Sibylline leaves were consulted; they reported that the gulph would not close, before a knight of the noblest family was entombed in the abyss. Curtius mounted his horse and leapt into the cavern. Was this an act of madness from derangement of brain? Certainly not; it was folly, if you please, or credulity, or superstition; but the motive of Curtius was patriotism. His view of honour might be wrong, but his intellect was not disordered.

Lucretia did not stab herself, to escape from the incontinence of Sextus, but as a punishment for having shared the crime. This vaunted heroine is, in our eyes, an equivocal character. The ravisher threatened to kill a sleeping slave, and she submitted. Her suicide we have always deemed, not an act of insanity, but one of calculation. The jealousy of Collatinus was averted by her death.

When the sword of the Cesars had triumphed over law, the Romans, born for liberty, disdained life, when held in servitude. Brutus, Cassius, and Cato, ran upon their swords, and the world, abandoned by its heroes, became the patrimony of despots. These men were not insane; they committed suicide from a point of honour, fearing the disgrace of being led captive at the triumph of the conquerors. Here the motive was not madness, but pride,—a pride, however erroneous, yet based on a principle of glory. Though the Christian may blame such conduct, it nevertheless extorts his respect.

This patriotic nationality of character was exhibited even under the emperors. The citizens ordered for death by the imperial sentence, or who apprehended such a blow, voluntarily opened their veins. Cocceius Nerva, rich, and influential at court, put an end to his existence, merely because the Rome of the Cesars was different from the Rome of the Scipios. Aruntius did the same, that he might not witness the disasters which he could not prevent.* Granius and Statius, whose lives had been pardoned by Nero, stabbed themselves, to rescue their memory from the reproach of having received favour from the assassin of Agrippina and Britannicus.†

Women were infected with the same generous epidemic. Every one knows the expression of Arria to Petus, after she had plunged the dagger into her bosom. *Pæte, haud mihi dolet: Pætus, I feel no pain.*

Men of the most effeminate character, in the declining days of Rome, aspired to what they termed the glory of suicide. Otho, and the voluptuous Petronius, died with the courage of Cato, without having lived as he had done.

This patriotic frenzy displayed itself among other nations of antiquity besides the Romans. When the Ambrones, a people of Gaul, had been

* The text of Tacitus is more energetic: *Ut fugeret simul acta et instantia.* *Annal.* lib. 6. cap. 48.

† Taciti *Annal.* lib. xv. sub fine.

defeated by Marius, the women implored that general to respect their honour, and employ them in the service of the virgins dedicated to Vesta ; on his refusal, they massacred their children with their own hands, and then hung themselves on trees.

Xanthus, a city of Lycia, was famous for the contempt with which the inhabitants regarded death. In the space of a thousand years, they thrice burned their houses and themselves, not to fall under the yoke of the conqueror. In this manner, they first deceived the ambitious hopes of Harpagus, one of the lieutenants of Cyrus ; next, those of Alexander the Great, and finally, those of the younger Brutus, who stabbed Cesar. This last, being advised of the desperation of the besiegers, offered a reward to each of his soldiers, who would save a Xanthian ; but only one hundred and fifty women were spared, who had no husbands to act as executioners.*

Similar heroic traits of ferocity were displayed in an Indian town besieged by Alexander the Great,† and at Abydos, conquered by the last Philip of Macedon.‡ The former acted as Brutus did ; but Philip laughed at the miseries of his victims, and seeing the eagerness with which they sought to avoid slavery, he withdrew his army, and granted them three days to kill themselves after their own fashion ; this delay was too long, for on the following morning there was not a single inhabitant in Abydos.

The contagion of suicide has travelled round the globe. Pliny speaks of a hyperborean nation, whose old men, when passed the period of enjoyment,§ leapt from a rock into the ocean, and thus violently terminated their career. The death of infirm and aged Ethiopians was still more painful ; they suffered themselves to be tied to the tail of a wild bull and be torn in pieces, thus realizing the dreadful punishment of Hyppolitus. Among the Hindûs, the young lay their old parents on the banks of the Ganges, whence they are carried and devoured by alligators ; but their disappearance is attributed to Bramah. The widows of the same people voluntarily burn themselves on the funeral piles of their husbands. None of these acts can be ascribed to madness, but to the tyranny of fashion, a fanaticism infused by the priests, and to the absurd consequences deduced from the dogma of the metempsychosis.

Among the moderns, the ferocious point of honour leads to duelling ; in Japan, to direct suicide ; at this extremity of Asia, when one warrior is insulted by another, the injured party rips open his bowels before his enemy, saying to him, “ Do as much, if you are a man of courage.” The aggressor complies, or lives dishonoured.

Whether the negroes were addicted to suicide before they became acquainted with the Europeans, cannot be decided ; but since that

* Applan. lib. 4.

† Diod. Sic. lib. 17. c. 18.

‡ Tit. Liv. lib. 31, c. 17. 18.

§ Hist. Nat. lib. 4. c. 12.

period, they have been as prone to it, as other nations. This infatuation we ascribe to slavery. The first savages that Columbus brought to Spain, tried every expedient to put a term to their existence during the voyage, and those who failed, became frenzied. During the horrible traffic in slaves, which, alas! still exists, the captives in the prison ships very frequently stifled themselves with their tongues; and this they did, though the Spanish priests assured them that suicide would be punished with the pains of hell, which they braved rather than breathe the same air with their oppressors.

It would be easy to fill several volumes with examples of suicide in modern times; but we shall confine ourselves to three of an extraordinary character. Creech, the translator and commentator on Lucretius, wrote the following note in his manuscript: "Nota Bene: When I have finished this commentary, I must hang myself;" and when his literary labour was completed, he put an end to his existence.

In 1734, a Swede, named Robeck, committed one of the most deliberate acts of suicide recorded in history; he composed a quarto volume, entitled "*An Apology for Voluntary Death*;" having given it to a bookseller for publication, he bought a light and frail boat, entered it alone, and suffered himself to be floated about at the caprice of the wind and tide; on the following morning, his body was found on the beach.

In 1770, a still more tragic event took place at Lyons. A young Italian, named Faldoni, being engaged in marriage, received a severe injury which, though it did not prove immediately mortal, was considered by the physicians as certain to produce death in a short time. The father of the young lady, being advised of this calamity, withdrew his consent to the alliance, not wishing that his daughter should be a widow at the moment she might become a mother. The youthful couple, however, determined to break down this barrier, and to be united at least in death. They repaired to a chapel in the country, knelt before the altar, one hand clasped, while the other touched the trigger of two pistols, fastened to their clothes with rose-coloured ribbons; at a mutual signal, both barrels were discharged, and the lovers fell dead in the arms of each other.

It is in Greece, where the apotheosis of Hercules, who burnt himself on mount *Æta*, was splendidly celebrated,—that the first apologies of suicide were openly published. Zeno, the founder of that philosophic sect, to which the world are largely indebted for precepts of morality and enlarged views of virtue, decided that it was indifferent to a wise man, whether he received death from the hand of another, or from his own. Zeno had broken one of his fingers, and acting on the audacious theory that he professed, rather than submit to a surgical operation, he

strangled himself. It may be observed that he was then ninety-eight years of age, and suicide at that age is not likely to become very prevalent.

This dangerous doctrine, taught by Zeno, necessarily flowed from the fundamental error of stoicism, to wit, that apathy is the perfection of wisdom. The philosopher, led away by the love of system, thus contradicted the sacred instincts of nature, and to preserve the consistency of his logic, sacrificed his sense of moral obligation. His disciples, among whom many of the most illustrious names of history are recorded, invented various sophisms to give a colour to this stoical paradox. Marcellinus, under the reign of Nero, hesitated to commit suicide; Seneca thus addresses him in the character of a philosopher: "You balance long for a trifle; life is nothing; do you not share it with your slaves and the lower animals? It is not necessary to know how to die, either to be very brave or very miserable; it is sufficient to be satiated and weary of the world."*

Marcellinus might have thus answered the stoic. "My friend, one proof that life has some charm for me, is that, notwithstanding the frightful prospect of feeble old age, I hesitate to put a term to my existence; this life is undoubtedly trifling in the eye of the Being who has organized it; but it is every thing to me, and no sophistry can compensate me for its loss. You spurn existence, because it is common to the lower animals and yourself; I respect it, because I share it with Hercules, Romulus, and Cato. As to the slaves whom your pride classes with quadrupeds, I ask you, what is the real difference between a conquering Roman and a conquered Numidian? I ask you, if an African is to be accounted a beast of burden because he carries his master to the Capitol in a palanquin? And further, why does a philosopher, as you profess to be, keep slaves! Weariness of the world can no more justify self-destruction, than the crime of the murderer who takes away the life of another man; this weariness is the punishment of a prurient imagination, sickened with luxurious enjoyment; a man of firm character would rather struggle to correct these feelings than terminate them by suicide."

Montaigne, who frequently quotes from memory, and is therefore to be read with caution, says that Pliny allowed the Romans to kill themselves for the three following maladies, to wit, the stone, derangement of the bowels, and violent head-aches;† but the French writer is wrong, for the friend of Tacitus had studied human nature too closely to outrage morals. Pliny merely says that in his time suicides were usually committed under the three conditions named; he is the historian, not the apologist, of suicide.‡

* Seneca, *Epist.* 77.

† *Essais de Montaigne*, t. iii. page 106.

‡ *De hoc tamen judicavere avi experimento asperimos cruciatus esse calculorum a stillicidio vesicæ; proximum stomachi: tertium eorum quæ in capite doleant, non ob alios ferme morte consciti.* *Hist. Nat. lib. xxv. c. 3.*

What Pliny did not say, is, however, to be found on a more extended scale in the introduction to the stoical philosophy of Justus Lipsius, one of the learned of the sixteenth century, famous for the multiplicity of his books and the number of his apostacies. He held that a wise man would commit suicide for the following reasons: patriotism, friendship, reverse of fortune, acute grief, bodily mutilation, incurable malady, extreme poverty, a state of constant alarm, decrepitude of old age, ignominy, the impossibility of living honourably and being useful to mankind.

We see, at the first glance, from this confused enumeration, that Justus Lipsius decided one of the most important problems in morals, without basing his doctrine on any fixed principle. What analogy, for instance, can be drawn between the devotion of Leonidas, and the desperation of an unfortunate wretch who has lost one of his organs? We must not attempt to decide on the points of friendship and patriotism; the enthusiasm of the former might have substituted the head of Pylades in the room of that of Orestes on the reeking altars of Tauris, and Sparta may have been justified in demanding the sacrifice of life from the heroes of Thermopylæ; such acts as these are *sui generis*, nor can we bring the ebullitions of such magnanimous minds to the square and plumb line of severe criticism; if indeed such suicides are to be accounted as crimes, they are crimes above all praise in the eye of a generous judge.

The other cases mentioned by Justus Lipsius rest on a sandy and hollow foundation. Poverty is no justification of suicide; a man may extricate himself from pecuniary embarrassment, which, after all, is trifling to a philosophic head that knows how to appreciate the emptiness of wordly wealth.

The instability and fickleness of fortune merely affect vulgar minds; he who fears her frown, deserves not her smile.

It is absurd for a man to kill himself from fear of this world; the chief, nay the only thing to fear, is the displeasure of God.

Neither can the infirmities of old age justify suicide: if an old man has such possession of his faculties as to reason on the subject, he ought to live, and devote those faculties, coupled with his experience, to the instruction of the rising generation; but if he has lost his intellects, then his suicide is not the act of a morally accountable agent.

We will not say with the Stoics, that pain is not an evil; but a brave man, and particularly a Christian, will submit to the divine will with resignation, and not insult his Maker by terminating his existence.

Mutilation, or the loss of any member, cannot authorize suicide. Man may enjoy a large measure of happiness, though physically crippled. History gives memorable examples of this fortitude in the characters of Combabus, Origen, Abelard, and the celebrated Narses.

In the case of incurable diseases, where the physician offers no hope of recovery, or even of mitigation of disease, the problem is difficult to solve, but we should hold, in such cases, that, if suicide were not a crime, it was at least a weakness; life is like a five act drama, and it is better to wait the close of the last scene, than let fall the curtain in the middle of the piece.

We have only now to consider the case of a man denounced to public ignominy, and civilly dead in the estimation of society. If a citizen deserves to be branded with national disgrace, let him undergo the punishment; if he lives, he may repent, and atone to society for his misconduct; but if he dies, all reparation at once becomes impossible. But if the citizen is unjustly denounced, and is really innocent, time may vindicate his character; if, in despair, he put an end to his existence, that act alone would be received as evidence of his criminality; it would reflect dishonour on his name, and even on his descendants. The pagans were wont to say that a good man struggling with adversity was a sight worthy of the gods; the sentiment is noble, and philosophically pious; it indicates elevation of mind and strength of soul, which scorn the oppression of common tyrants, and denotes the presence of that transcendent virtue which, strong in the protection of Providence and cheered by the approbation of conscience, pities the low clamour of a sneering world.

Among the moderns who have repeated the sophisms of the stoics, Dr. Donne, a celebrated preacher in the reign of James the First of England, is one of the most famous. He published a quarto volume, entitled *Biathanatos*, in which he endeavoured to prove that suicide was not contrary to the laws of nature, nor to reason, nor to revelation.

The only argument, on which his doctrine rests, is derived from an apostolic constitution, which declares that a good Catholic ought to die of starvation, rather than receive food from one who has been excommunicated; a constitution worthy of serving as the basis of the intolerant legislation of the Propaganda, but which could only become law in Europe in those barbarous ages when the fanatic Hildebrand and the incestuous father of Borgia ruled a benighted people by the illusions of sacerdotal craft.

The most laboured apology or defence of suicide is the work of Robeck, to whose death we have alluded; it is, however, a tissue of the vainest sophisms, and only remarkable as a monument of human folly and perverted genius.*

On this general question of suicide the following principles seem to be incontrovertible:

* The title of the Book is; *Johannis Robeck, Calmaria Suedi, exercitatio philosophica de morte voluntaria philosophorum et bonorum virorum, etiam Judæorum et Christianorum.*—It is a quarto, printed at Rintel, in 1736.

It is evident there is some object to be attained by the existence of man ; for the deity cannot act without motives ; and since laws have been established for the birth of man, we may safely conclude that there are laws established for his death.

Secondly.—All beings, merely because they exist, have the strongest imaginable desire to prolong their existence ; this passion is one of the strongest barriers against the torrent of physical evil that seems always ready to flood the earth.

Thirdly.—Since man is a free agent, he ought to determine his moral actions in reference to their consequences, just as he determines his physical actions.

Assuming these three theorems to be true, we deduce from them that, when man first saw the light of heaven, he made a tacit contract with the Deity to this effect. The God who has organized me will assuredly preserve my organization ; else why should I have been created ? and since He has given me liberty of thought and action, I am bound in gratitude so to exercise them that they may harmonize with his intentions. Such we take to be the religious view of this subject.

In a political sense, the great argument against suicide is this ; the man who cares not for his own life, is absolute master of the life of his neighbour. With him, there is only one step from the crime of self-destruction to the crime of murder.

Under whatever point of view, then, we consider suicide, we may define it to be a robbery committed on society, and a violation of the laws of God.

THE FOUR SEASONS.

SPRING.

ALL-GLADDENING Spring bursts nature's icy chains,
 Resolves grim Winter's death-like garb of snow ;
 Hushes the tempest, bids wild ocean flow
 Calm as the brooklet glides through verdant plains,
 And breathes new vigour into nature's veins :
 Sky, earth, and sea, with golden radiance glow,
 The flowers of Spring their varied beauties show,
 And universal renovation reigns !
 And thus will man, when death's stern reign shall cease,
 Burst into life anew ; but he shall soar
 To climes where Spring eternal reigns in peace,
 Where he shall dread death's murderous touch no more,
 Where Winter's horrors are not known, and where
 No tear shall fall, no breast feel grief or care !

SUMMER.

IMAGE of Paradise, Bride of the Sun,

Queen of the seasons, welcome to our clime !

Thy sister, Spring, has left us in her prime,
That thou mightst finish what she has begun,
And see what thy completing breath has done !

Earth smiles again as in her early time ;

Melodiously the birds' sweet warblings chime
With countless sounds, which thy bland smiles have won
From torrents, rivers, rills, and rustling leaves.

Lo ! fanned by zephyr-wings, the virgin rose
Unveils her charms, and blushingly receives

Her guardian ;—now thy gold-eyed bridegroom glows,
And Neptune's realm, soothed by thy magic wand,
Bears each bark calmly to its destined strand.

AUTUMN.

RICHLY, kind Autumn, hast thou now repaid

The peasant's arduous toils. How changed the scene !

Nature has doffed her virgin robe of green,
And, in her costly bridal vest arrayed,
Displays her ripened charms :—tree, field, and glade,
Are with her dower o'erfraught, which, with a mien

Void of that pride that giveth not unseen,
She gives to all. 'Tis thus when not delayed
By adverse winds on ocean's treacherous breast—

That Albion's countless argosies return,
And pour the treasures of both East and West
Wide o'er the happy isle. Now, Plenty's urn
Stores full the barn ; and Autumn's bounteous hand
Secures 'gainst barren Winter's wants the land.

WINTER.

SEASON of tempests, solemn Winter, hail !

I love thy leafless trees, thy ice-decked streams,
Thy snowy hills, thy glimmering sun, that seems
Appalled when it beholds thy visage pale ;—

I love thy gloom when o'er the sky a veil

Of murky clouds is cast ;—my ear, too, deems
The tempest's hollow voice, the night-bird's screams,
Sweeter than gay-clad Summer's whispering gale,
Or Philomel's soft lay :—and oft, at night,

When Winter puts its fiercest aspect on,
I climb some rock — there listen, with delight,
To the hoarse winds, and calmly gaze upon
The troubled deep ; for, like my care-fraught life,
Creation's then a scene of gloom and strife.

J. D. PIERCEY.

THE VILLAGE SCHOOLMASTER.—A SILESIAN LEGEND.

TRANSLATED FROM THE GERMAN.

..... O wer weiss,
Was in der Zeiten Hintergrunde schlummert!—SCHILLER.

..... O who can know
What slumbers deep in time's perspective.

IN a small Silesian mountain hamlet, between Schurieduitz and Schnriedberg, lived the village schoolmaster, Paschke, the father of twelve children, a good, careful man, indefatigable in his calling, and withal a loyal patriot, yet all his lifetime he had waged war with one enemy, whom he had never been able to conquer,—Want. The fate of a village schoolmaster is not in general an enviable one, but Paschke enjoyed more satisfaction than many in his situation. His wife was an industrious woman, she helped him in the field and in the school-room,—wielded the hay rake and sometimes the ruler. She cut, as if she had studied arithmetic, the long slices of bread which she still distributed, although the children fancied they daily became smaller. Old Paschke often said that only one thing troubled him—the boys eat more than they earned : happy father who knows no other care !—but the children grew, and the father's coat, which he had inherited from his grandfather, was no longer sufficient, as of yore, for four jackets, however dexterously he cut it,—for he exercised the trade of tailor as well as that of schoolmaster,—dress became daily more scanty in the Paschke family, and stockings soon appeared only as a Sunday decoration. At length, the war, a source of calamity to so many, did not work so unfavourably for the village schoolmaster ; three sons enlisted as grenadiers under Frederic William's standard, and behaved at Auerstadt better than those who commanded them. They fell honorably on the field ; a field of honour to how many whose names are no longer heard among us.

Now Paschke had three sons less to provide for, and the fourth soon afterwards became a volunteer in the free corps raised by the Prince of Pfletz.* He fought bravely in Silesia, and, had not the affair at Kant proved an unfortunate one, his father would have had the happiness of seeing his son enter Berlin as a victor. After the French had stormed the camp at Glatz, he came unwounded over the mountains to his father's home, and exchanged the sabre for the needle.

"There is your son Fritz," said a somewhat suspicious-looking person, who came sometimes at daybreak to greet old Paschke, as he sat at his early work, "There is your son Fritz ; he is of little use either in the school-room or the workshop. Look at his bones and muscles, and at the fire in his eye. The boy belongs to the mountains ; knows every pass in them, by night as well as by day. No bird's nest is secure from him, and his eye is as keen as the eagle's. What say you, Father Paschke, will you give him to me for an apprentice ? I wager that, before the year is over, he will be the best smuggler between Sterschberg and Glatz."

Father Paschke looked thoughtful ; then he looked at the bag, and observed how the waxed thread almost broke, as he pulled it through with all his strength. This gave his companion courage to proceed. "Father Paschke ! the bag may do you honour : tailors' work is not profitable here among the mountains ; and if all the stitches that have been sewed for the

* Afterwards Duke of Anhalt Coethen.

last fifty years were to give way, the farmers would never think of having them mended. But without tobacco they cannot live, and the emperor will never allow it to be freely imported. Come, father, give the boy to me.—Will you not be glad to go, Fritz! you belong to the mountains, and not to the workroom."

Fritz stood up,—his heart beat,—his cheeks glowed, and he looked timidly at his father, to hear the word of consent from his lips.—Something hard and glittering fell on the table. Father Paschke had, perhaps, never before had a hard thaler in his possession:—it was the agreement money which the smuggler threw him. Temptation struggled with his honest nature. He took up the thaler, weighed it on his finger, brought it nearer to his eyes; a grave, noble countenance seemed to gaze at him,—the likeness of the king. Oh! how falsely did the contrabandist read the face of the honest schoolmaster, when he triumphantly asked him, "Is it settled?" "No, nor ever can be." "Why, who hinders you?" "He, my king," answered Paschke gravely. When Paschke spoke in this manner, those who had to do with him knew that nothing more was to be said.

Fritz was Paschke's seventh son. For every seventh son, according to the regulation at that time, the father was entitled to a support from Government. The boy had been christened by the name of the father of the country; he had claims on future notice. This dedication of his seventh son, now flashed on Paschke's mind. "No," he said, pressing the smuggler's hand, "*Ehrlich währt am längsten*; (honesty is the best policy;) my Fritz shall do honour to his royal godfather; and when, some day, my king shall ask me, What is become of your son, Paschke? I will not blush and answer, Oh, Your Majesty, he is a smuggler!"

The contrabandist threw his wallet angrily over his shoulder:—"You are a wilful fool, Paschke; if good had come of the bag, he should have been my heir. Look to it yourself now, what you make of him; a tailor or a day labourer." "Whatever God pleases!" said honest Paschke.

Oh! how many sleepless nights did poor Fritz pass, after listening to this conversation! How often did he wander, lost in thought, to the Riesenkamm, (Giant's Comb,) to the Mädchenstein, (Maidenstone,) and to the source of the Elbe! How often did he assure himself that he was not born to be a tailor! and how had his imagination been awakened by the offer of the smuggler! His father often looked at him, shook his head, and sighed: it was plain to him that Fritz was not intended for his present situation.

Fritz Paschke's mother had a cousin who lived at Breslaw; she was housekeeper to a dean. In earlier times, she used to come every year on a visit to her relations in the country, and her cheerfulness and kindness had made her a great favourite with the lively boy. She had much to tell of the large town where she lived, of the handsome apartments, and of the good appetite of her master, the dean. Every one was happy to listen to her, and she passed in the family for a superior being. Years had now gone by since she had visited the village, but lately the father had received letters from her, and as he read them, he looked at his son Fritz. One day, a tear came into the old man's eye, he pressed his son in his arms, and said in a broken voice: "My son, you shall not be a tailor."

"What then, my father?"

"You will receive a stipend, to enable you to study."

Study.—This was a new word—another world which opened to our Fritz: he asked his father whom he had to thank for this prospect.

"The good dean, Fritz. It will now be your part, to do credit to the generous man, and to become what he expects of you."

"And what am I to be then?"

"A Catholic theologian."

Thus was Fritz's fate decided. He was contented; at least, he appeared so. His father now passed through the village with a prouder step, the mother looked already with the sweet feeling of respect on that son, the border of whose garment she should one day kiss; and Fritz himself was another creature.

He studied diligently: but, alas! is the pen less pointed than the needle; and must one bend more over tailor's work than over an exercise? Often did he sit gazing on his pen, and mounting with it, not to the realms of thought, but to those of the air. "The plume belongs to the clouds," said he. "No, to the hat of a soldier," answered a sergeant, who was once quartered on them, and Fritz observed for the first time how stately a bunch of feathers looked on a cocked hat. Nevertheless, he worked early and late, learned vocabularies, declinations, conjugations. The dean, who passed through the village on a summer tour had examined him, and was well pleased with his progress. If the large round face of the dean had only resembled the moon, as it rose so brilliantly over the chapel of St. Anna,—if his little bright, friendly eyes had been something like the no less bright and friendly eyes of the burgomaster's daughter, Malchen!—But the moon over St. Anna's Chapel had a very different countenance; and one glance of Malchen's eye produced a far greater effect than the most gracious looks of the dean. "Only think, Fritz," said his mother, "if you should one day be a dean!" but Fritz shuddered at the bare idea of growing so fat.

The time for young Paschke's departure for Breslaw approached, and with it a season of fresh war and disturbance. Old Paschke was, as has been said, a patriot, and every patriot hated the French. He was consequently obliged to love all who were inimical to them, and for this reason did he love the Russians.

A distinguished Russian officer and his adjutant knocked one day at the schoolmaster's door; they sought a guide who could shew them the nearest, even if it should be the most difficult, road to the mountains of the Schneekoppe. Who in the whole village knew the road so well as Fritz Paschke?—But should the candidate for ecclesiastical honours become a guide through the mountains? While the family debated on the subject, Fritz seized his cap and pole, bid adieu to his father and mother, sprung over the mill-stream and beckoned to the gentlemen to follow. With his stick he pointed to the high Koppe now shining in a bright mid-day sun. "A fine fellow!" said the colonel, "he might do his parents honour as a soldier." Old Paschke felt as if he had said farewell to his son for a long, long time.

And now Fritz bounded over the little hills in the foreground, and over the green uplands. "It seems that the boy can dispense with breathing," said the colonel, as their guide, leaning on his long pole, sprung over the stones, over the deep stream, and then, without resting, climbed the steep face of the mountain, looking down to his companions, to shew them a less difficult way round, and only waiting their arrival to bound on before them. And now he pointed downwards to a deep ravine, and on the other side was the grey Schneehoppe, rising to the clouds.

"Do the gentlemen wish to be to-day, before night fall, on the Koppe?"

"Certainly."

"Then we must cross this valley, if we are to see the sun in Bohemia.—The other way is easier, but for that we ought to have set off earlier."

The adjutant looked thoughtfully downwards, and tried with his foot the heaps of pebbles over which they were to descend; but the colonel looked in the face of the boy.—"Yes, it will cost you a pair of boots," said their guide, and the next moment he sprang, ran, or rolled to the bottom, so quickly, that the officers had some trouble in following him.

"Boy," said the colonel, as he rested, almost exhausted, "if I had you in Russia!"

"And what would you do with me?"

"I would put you among my *grenzjägern*; a better soldier we could not have. What have you learnt?"

"I am going into the pulpit." And at that moment Fritz swung himself upwards on a projecting rock, with such force that the officer's heads turned round, while he sat in safety above them.

"I believe the fellow is laughing at us," said the colonel, who had followed him by a bye-way, and with great exertion, "is that a pulpit?"

"Yes, Rubezahl's* pulpit," answered Fritz, and then, after a pause, "Are there any hills in Russia?"

"On the other side, towards Caucasus;" answered the colonel, "too few this way."

"If I was emperor of Russia, I would have hills; a land without hills is nothing."

"Foolish boy! would they rise out of the earth for you?"

"Why does not the emperor let his *grenadiers* march to Caucasus. If I was he, I would not rest till it was mine."

And now they stood upon the summit of the Schneehoppe. The sun had gone down; but its last ray gilded the tops of the Bohemian mountains. Dark night spread over the fruitful fields of Silesia, and over the distant countries of Sarmatia. Silently the three companions gazed on the dark East, till involuntarily, in a half whisper, the words broke from Fritz: "Can the Russian priests marry?"

"Why do you ask, my son?"

Fritz sighed—The young moon appeared from behind a cloud, and threw her beams on the Hirschberger valley. Even at Irtisch, where the colonel was born, they know the moon, and understand the sigh of love.

"Once, my son," said the colonel, but not again.

The adjutant explained to him that a Russian ecclesiastic may marry once, but if his wife died, not a second time.

They laid themselves down by a fire that the mountain air rendered necessary.

"Oh I would rather be a priest in Russia," said young Paschke, absently; "then I could marry Malchen."

He startled when he had said it: he did not think that what he now spoke in words, his companions had long since read in his looks.

"You would go to Russia then?"

"Most willingly."

"Will you go with us?" asked the colonel.

"With you! you would put me into a seminary."

"If we did not take you to a seminary, but placed you in the military academy?"

* Rubezahl, the giant of German fairy tale.

"Then I should not get the stipend promised me by the dean."

"The emperor will give you another stipend, my dear Fritz; you are born for a soldier," cried the colonel, springing up. At that moment the first red gleam appeared in the East; a cloudless morning dawned upon the Silesian plains.—"Yes, Fritz Paschke, do not strive against your destiny. You are a soldier, you shall be a soldier," repeated the colonel solemnly.—"See, there are the two eagles of our emperor rising in the air; for him I enlist you, and prophecy that you will become something great. Give me your hand—and now you are a Russian soldier!"

"So schmal ist die Gränze, die zwei Lebenspfade scheidet!"*

All wonders are the work of the moment. Happy is he who believes in the effect of the moment! this one had decided. A few seconds later, when the glowing sun, surrounded by purple clouds, appeared on the utmost border of Silesia, to rise in its brilliant course over Alps, Sudeten, Pyrennees, as far as the pillars of Hercules—all the work of one day—it shone upon three men, standing upon the summit of the hill; men who would not for worlds that any human creature should have seen what that sun saw—tears! bright tears of feeling in their eyes! How many were yet to be shed in the father's house! what flattering hopes and long-cherished prospects were to be destroyed; and how many prejudices and prepossessions were to be combated! But it was written in the stars that Paschke's son was not to earn a scanty subsistence in the workshop; was not to creep with bended back through the bye-ways of the mountains; was not to forget over the Vulgate that he had a feeling heart, and was a human being. Imagine how he bade adieu to parents and companions, to his father's humble dwelling, constructed of the old fir trees of the Sudeten; imagine how he passed the house of the burgo-master, and now leant against the garden paling, gazing, with a last look, at the little round window, gleaming in the moonlight:—the casement was opened,—the night wind carried down a sigh,—a flower fell at his feet, a forget-me-not, (*vergisz mein-nicht*,) and the window was closed again.

The Silesian legend, modest as the violet in its mountains, does not follow our hero. The sound of the cannonade and of the galloping of steeds do not harmonize with its soft melody. In Paschke's house little change was apparent; the storm raves through the ravines now, as it did a thousand years ago; the forget-me-not still drinks the dew on the banks of the stream, as on the day of its creation; one man, more or less, makes little difference.

Paschke's son—but why do I speak of him? he does not belong to the insignificance of a legend, but to history. When his family received his letters, I ought to describe the father's joy, the mother's delight, the astonishment of the brothers and sisters, yet I will only paint one moment, uncertain whether it does not place the father higher than the son. Paschke assembled his family and read to them the last letter, which he had received from Fritz. "Children," said he, "with such a son, with such a brother, has our house been blessed. The star of pride shines through our mean roof; let it find no nourishment here. Fritz has been forced to change his name; yet is he Paschke's son; but the syllable son, does not appear in the Russian sound of his name. Gradually he ascends to the foot of the throne of an immense empire; oh, my dear ones! let

* Schiller's "Wallenstein's Tod."

us not envy him his happiness, let us contribute to it what is in our power. The only way in which we can do this, is by not hindering it. Let us deny ourselves the public participation in his glory, and enjoy it so much the more in silence. In a word, Fritz has been separated from our family, let him be as lost to us, let him not be named among us, let nothing betray, when the honoured name is spoken, that he belongs to us so nearly. Russia, Europe, shall not know that in the Schmiedberg mountain valley, beneath the low roof of the cottage of poverty, a father's heart beats for the hero whose fame fills the world, and of whom Silesia will one day be proud, when posterity allows history to confess that Paschke was the father of Diebitsch."

When the news arrived of the capture of Ezerium, when the Christians in every country rejoiced, because the cross had been planted upon the heights of Ararat, Father Paschke sunk. Joy burst his silent, faithful heart. With the last letter of his laurel-crowned son in his hands, they carried him to his last home. The esteem of all who knew him followed the excellent man.

There was yet one who followed the funeral procession; one, whom though our legend has remembered, it had not given us her picture. Oh, let it remain in twilight! Do not ask after the young woman, who in deepest mourning and sincere sorrow, places a wreath upon the coffin. She yet lives; is she unhappy? is she a living hieroglyphic in which you read that even a great man can vacillate? Do not judge so rashly. Observe that it is not even clear what happened, much less, why. Fate stepped between them, they were not parted either by fickleness or by voluntary consent. Is she then unhappy? She wants nothing of what is believed to constitute the happiness of life. But she possesses more than kind friends, fruitful fields and a pleasant dwelling, she has a remembrance, which will live with her even to the quiet grave. She loved him; he loved her.

"Sie hat genossen das irdische Glück,
Sie hat gelebt, und geliebet!"

And would she be happier if she was a countess, lady of honor to an empress, with three brilliant orders hanging from her proud bosom?

Guernsey.

T. C. G.

ON THE PHILOSOPHY OF MIND.—No. 3.

(Continued from page 284, vol. iii.)

ONE of the most interesting features of memory are the laws of association. These may be divided into primary and secondary; the former directly influencing the operations of memory, and the latter more or less indirectly. The primary laws are resemblance—contrast—and contiguity. Resemblance serves to call up the recollection of things which are like one another in some particulars. Analogy is an indirect resemblance, or the likeness of relation. Twin children, for instance, bear a direct resemblance to one another, and between two Gothic churches we immediately perceive a similarity in point of form and architecture, while between a playful child and a lamb, or between Achilles and a lion, there is the likeness of relation. Resemblance aids the poet in supplying him with figurative language, and the philosopher in leading him to generalize new discoveries. By it Newton, like a skilful enchanter, unravelled the

thread which for so many centuries held together the mysteries of space, and by it Harvey and Watt made splendid discoveries, each in his respective sphere. The second primary law of association is contrast, or what Aristotle calls, *το εναντιον*. This law is not so extensive in its operations as the former, for the mind may at times be under the influence of so vivid emotions as to forget its reciprocal suggestions. It gives rise to the figure of speech in composition, called antithesis, and, when judiciously employed, it heightens the effect of a conception. Thus Job, under misfortune and borne down by suffering, gave vent to his feelings in the following beautiful contrast: "Oh! that I were as in months past, as in the day when God preserved me; when his candle shone upon my head, and when by his light I walked through darkness."

The beautiful comparison too, between a town and country life in the *Georgics* of Virgil; between Babylon in all its glory, and Babylon low in ruins, in Isaiah: and between the lion-like daring of Hector and the feminine affection of Andromache, in the sixth book of the *Iliad*, have sprung from the same cause. An example taken from Johnson will be sufficient to illustrate the same law:

" Hermit of the mossy cell,
Wearing out life's evening grey;
Strike thy pensive breast and tell,
Where is bliss, and which the way.

Thus I spoke, and frequent sighed,
Scarce suppressed the falling tear,
When the hoary sage replied,
'Come my lad, and drink some beer.'

As contrast is not so extensive as a suggesting principle as resemblance, and as the sentiment of opposition is unnatural to men eager in the discovery of truth, we find that authors who use antithesis too frequently, as Sallust, Tacitus, Johnson and Cowley, soon lose their effect. The third primary law of association is contiguity or proximity in point of place and time. This law acts more generally than either of the two preceding: it extends even to the lower animals; thus a horse dreads the place where it has been hurt, and some horses are capable of distinguishing those inns where they have been fed, from others. In the human mind objects are bound together by nearness. The mention of 1688, or 1792, never fails to suggest the British or French revolution. In recalling long detached ideas, the memory and imagination are much indebted to contiguity; thus a note written down on a particular spot will suggest forgotten localities, and a blot or tear on a particular page will suggest to public speakers particular ideas.

It comes now to be asked, if all the primary laws of association are essential, what determines the influence of any one of these laws over the others? All know that the same object will not always call up the same correlative. A remarkable tree would suggest to a carpenter the quantity of timber contained in it; while to the poet, the farmer, or the school-boy, it would suggest different ideas. We answer that the primary laws are modified in their operations by the secondary,—these not marking any new relation or train of thought. To classify the circumstances by which the current of our thoughts is directed, was long considered a difficult problem; the only attempts at formal classification which we have, are those proposed by Condillac, Stewart and Brown. The last philosopher reduces these circumstances to nine—the existence of associated

feelings—the greater or less degree of vividness by which original ideas suggest one another—the frequency of renewal in the same order—the recency of connexion—the frequency of association between the suggesting and suggested relation—constitutional differences—accidental feelings of mind—physical temperament—habit. The operation of these laws in our waking moments is perfectly understood, and for the present I shall conclude this part of my subject by attempting an answer to the question, How far do these laws operate in our dreams? When the sensations and ideas are in equilibrio, we are in what philosophers term perfect sleep; when our sensations are more vivid than our ideas, we are said to be awake; and when our ideas are more vivid than our sensations, we are in the state of dreaming. The primary laws of association principally direct our thoughts in our waking moments. The secondary laws, in our dreams. In the case of dreams two things are observable—that the power of sensation is considerably diminished—and that the will is wholly suspended. No proof is wanting for the former assertion, and we may easily be convinced of the latter by considering admitted facts. All have dreamed of being pursued by a wild animal which they had not power to shun; drunkards and gluttons too are punished for their excesses by frightful dreams, while they cannot exert a limb, or move a muscle. In our waking moments we can subdue all reveries by the power of will; when this power is partially suspended, insanity follows, and when wholly suspended, dreams. Idiots too are constantly indulging in reveries or day-dreams; they have little power over the will, and hence are continually carried away by some predominant idea. There is a question of very great interest connected with this subject, viz. Are dreams prophetic? Our view of them, in the preceding remarks, bears directly against this hypothesis. Dreams, as before remarked, are the result of material affection. If the body is in good condition, dreams are generally of a pleasing nature, while dropsy, fever, and all other diseases, are accompanied with dreams peculiar to themselves. Again, we have no reason to suppose that the Disposer of events would appoint the intemperate or the glutton, characters equally odious in his sight, to be the channels for conveying a knowledge of future events: neither can we suppose that idiots or diseased persons would be the medium of inspiration. We hold also, that there is no necessity for maintaining dreams to be prophetic; for we must not forget that such dreams imply the notion of a miracle, and if the economy of Providence was carried on by miracles, our free agency would be destroyed; besides, the age of miracles has passed away, and the Gospel has been well substituted in their stead. This consideration furnishes a better argument for the establishing our point, than either of the preceding, for if we place any confidence in dreams, we must necessarily deny the adequacy of Christ to fulfil his mission. The Gospel, in proclaiming that Christ has already appeared, and made sufficient atonement for all sin, declares that the book of prophecy is sealed for ever, and threatens awful denunciations against those who may take away from, or add thereto. Some maintain that, in particular circumstances, dreams are to be considered prophetic; but we see no necessity why in any case they should be so considered, and we are convinced of this from the fact that dreams seldom look to the future, but to the past. It is true that particular instances have occurred where there was an apparent connection between the dream and the consequent event; these instances, however, are very rare, and may all be explained on the principles of association.

In reference to ghosts it is said that greater or less belief is to be placed in them; but where now are the ancient spirits and fairies? It is no difficult matter to explain the theory, or rather the practice, of witchcraft. In former times the person affected betook himself to the priest, who subsisted by his impositions, while the modern ghost-seer betakes himself to the surgeon, who, by the letting of a little blood, soon banishes all phantoms from the imagination.

The last simple power of the mind is judgment; as we shall have occasion to notice this power in our remarks on reasoning, we do not dwell on it at present more fully than that it is that power by which we perceive the relations between these sensations, which sensation furnishes and memory recalls.

We hold these three powers to be the foundation of all intellectual and moral phenomena. I am aware that this is a bold opinion to advance, and that when antiquity and authority have set their seal to a doctrine, it must be with caution that we attack it; but I maintain that, as human authority is by no means infallible, we ought never to rest upon it till we have examined its basis. The point I wish to establish is, that the usual distinction between the feelings of the heart and the feelings of the head—between the intellectual and moral sentiments—is most false in itself, most ruinous in its application, and most pernicious in its consequences. Were this doctrine indeed a matter of metaphysical discussion and curiosity, we should have less inducement to attack it, but we conceive that it materially affects all the ramifications of society. Supposing themselves hurried on by a part of their constitution, over which they had no control, men of all ranks and classes have not hesitated to plunge into the most reckless excesses. It was such a view that suggested the following prayer to the mind of Burns:

Oh! Thou unknown, Almighty Cause,
Of all my hope and fear,
In whose dread presence, ere an hour
Perhaps I must appear.

THOU KNOWEST that THOU hast formed me,
With passions wild and strong,
And listening to their witching voice
Has often led me wrong.

If we examine the nature of men as exhibited by philosophers in general, we shall find little to admire and less to recommend; nor shall we be surprised that vice and immorality have flourished to such an alarming extent. Prone to do what is wrong, the mind seldom hesitates to adopt without examination any opinion which may furnish a cloak for its actions; and if it were willing to indulge in all that was criminal, or sink itself in all that was vile, how could it do so with greater security than by adopting a system which would lead it to doubt of its accountability, and to charge its Maker with folly? Had we expediency for our aim, we should at once abandon such a system; but, taking our position under the standard of truth, we shall appeal, not to philosophers, however splendid their names or illustrious their talents, but to general consent of mankind. We consider that our doctrine deserves attention not only on account of its simplicity, but also on account of its practical tendency. Instead of viewing man as directed by two opposite sets of principles, the one under his control, and the other not, we think it more philosophical, because more simple, to view the mental constitution as a whole, capable

of endless modifications. This view exhibits all our actions as the result of those faculties which have been bestowed on us by our Creator, and for the exercise of which we are accountable. We do not examine at present more than one portion of the science of morals, and we prefer desire, because it is the foundation of the system. We formerly said that the simple powers of the mind were sensation, memory and judgment. These are intimately connected with one another, and I wish to prove that they are all necessary in the case of desire. Sensation alone implies no feeling resembling desire. An individual under the pressure of pain and possessing no faculty, save sensation, could have no desire to be relieved, because he could form no notion of a state different from that in which he was, and hence he could not properly be said to be in pain; give this individual memory, and his consciousness of existence is prolonged; he remembers feelings which he formerly felt, but still there would be no desire, because he could not tell whether his past sensations were like or unlike the present. If however we give him judgment, we effect a change among all his feelings, become, by the operations of these faculties, the sources of all desire. Had we none of the powers of intellect we should be totally unable to form conceptions of any thing, and we cannot suppose a person desiring that of which he has no conception. Do we desire to be in a state of pleasure, it is because we know what a state of pleasure is, contradistinguished from a state of pain: how do we obtain such knowledge? it cannot be by any operation unconnected with the intellect, and hence the indissoluble connection which we wish to prove. Now, if the conception we form of an object as good and attainable be the essential element of every desire, how important that we form proper conceptions of the world around us. The common sense of mankind must admit that this doctrine is based on truth, and that it is pregnant with valuable results to society; but if the prejudice of the philosopher be not yet satisfied, let us appeal to higher authority than that of man. The Scriptures all admit to be the standard of truth, and none can deny that they are the standard of morality. We lament that many in word extol the clearer illumination from heaven, and follow in practice the fainter light that shines dimly over the universe. What then do we learn from the Scriptures on the point under consideration? It is this, that wisdom and proper conceptions are synonymous terms. Long before the days of Stewart or Reid, mankind were exhorted to get wisdom, and in all their gettings to get understanding. When the Jewish soldiers and populace were giving vent to all the rancour of their passions during the crucifixion, the Saviour offered up the simple prayer, "Father, forgive them, for they know not" (i. e. they understand not,) "what they do."

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CHARACTER OF PRINCE POTEMKIN, OF RUSSIA.

PRINCE GREGORY ALEXANDROVITCH POTENKIN was one of the most extraordinary men of his times; but in order to have played so conspicuous a part, he must have been in Russia, and have lived in the reign of Catherine the Second. In any other country, in any other age, under any other sovereign, he would have been misplaced; and it was a singular piece of fortune that he was thrown on the theatre of the world at a juncture and under circumstances so well fitted to develop his peculiar talents.

In his person were collected the most opposite defects and advantages of every kind. He was avaricious and ostentatious, despotic and popular, inflexible and beneficent, haughty and obliging, politic and confiding, licentious and superstitious, bold and timid, ambitious and indiscreet; lavish of his bounties to his relations, his mistresses, and his favourites, yet, frequently, neither paying his creditors nor his household. His consequence always depended on a woman, and he was unfaithful to her. Nothing could equal the activity of his mind, and the indolence of his body. No danger could appal his courage: no difficulties force him to abandon his projects. But the success of an enterprise always brought on disgust.

He wearied the empire by the number of his posts and the extent of his power. He was himself fatigued with the burden of his existence; envious of all that he did not do, and sick of all that he did. Rest was not grateful to him, nor occupation pleasing. Every thing with him was desultory, whether it related to business or pleasure. In every company he had an embarrassed air, and his presence was a restraint on every company. He was morose to all who stood in awe of him, and caressed all such as accosted him with familiarity.

Ever promising, seldom keeping his word, still he never forgot anything. None had read less than he; yet few people were better informed. He had conversed with the skilful in all professions, in all the sciences, and in every art. None better knew how to draw forth and appropriate to himself the knowledge of others. In conversation, he astonished the scholar, the artist, the engineer, and the divine. His information was not deep, but it was very extensive. He never dived into a subject, but he spoke well on all subjects.

The inequality of his temper was productive of an inconceivable oddity in his desires, in his conduct, and in his mode of life. At one time he formed the project of becoming Duke of Courland; at another he thought of bestowing on himself the crown of Poland. He frequently gave intimations of making himself a bishop, and sometimes even a simple monk. He built a superb palace, and offered it for sale as soon as it was finished. One day he would dream of nothing but war, and only officers, Cossacks, and Tartars were admitted into his presence; the next day he was busied only with politics; he would partition the Ottoman empire, and put in agitation all the cabinets of Europe. At other times, with nothing in his head but the court, dressed in a magnificent suit, covered with ribbons and orders presented to him by every potentate, displaying diamonds of extraordinary magnitude and rare brilliancy, he gave a round of costly entertainments without any imaginable cause.

He was sometimes known for a month, and in the face of the whole city, openly and without disguise, to pass whole evenings at the apartment of a young female, seeming to have forgotten all business and all decorum. Sometimes, also, for several weeks successively, shut up in his house with his nieces and a few gentlemen of his intimate acquaintance, he would lounge on a sofa, without speaking, playing at chess, or at cards, with his legs bare, his shirt-collar unbuttoned, in a morning gown, with a thoughtful front, his eye-brows knit, and presenting to the view of strangers, who came to see him, the figure of a rough and squalid Cossack.

All these singularities often put the empress out of humour, but her displeasure was transitory, and his very eccentricities rendered him more interesting to her. In his youth he had pleased her by the ardour of his

passion, by his valour, and his masculine beauty. Being arrived at maturity, he charmed her still by flattering her pride, by calming her apprehensions, by confirming her power, by caressing her fancies of oriental empire, the expulsion of the barbarians, and the restoration of the Grecian republics.

At eighteen, a subaltern officer in the horse-guards, he persuaded, on the day of the revolution, his corps to take arms, and presented to Catharine his cockade, as an ornament for her sword. Soon afterwards, become the rival of Orloff, he performed for his sovereign an act that nothing but the most romantic passion could have inspired. He actually put out one of his eyes to remove a blemish which diminished his beauty. Banished by his rival, he rushed to meet death in battle, but returned with glory. Again a successful lover, he quickly shook off the hypocritical farce. He himself gave favourites to his mistress, and became her confidant, her friend, her general, and her minister.

Count Panin was minister of the council, and was a great stickler for the alliance with Prussia. Potemkin persuaded his mistress that the friendship of the emperor would be of more use to her in realising her plans against the Turks. He connected her with Joseph the Second, and thereby furnished himself with the means of conquering the Crimea, and the country of the Nogay Tartars, which depended upon it. Restoring to these regions their ancient and sonorous names, creating a maritime force at Kerson and Sebastopol, he persuaded Catharine to travel to the scene of conquest, and admire in person this accession to her empire. No expense was spared to render this journey renowned to the latest posterity. Thither were conveyed from all parts, money, provisions, and horses. The highways were illuminated. The Borysthènes was covered with magnificent gallies. A hundred and fifty thousand soldiers were newly equipped. The Cossacks were drawn from their solitudes, and the Tartars were disciplined. Deserts were peopled for the occasion, and palaces were raised in the trackless wild. The nakedness of the plains of the Crimea was disguised by villages built on purpose, and enlivened by fireworks. Fine roads were opened by the army. Wildernesses were transformed into English gardens. The king of Poland came to pay homage to her who had crowned him, and who afterwards struck him from the throne. The Emperor Joseph himself attended the triumphal progress of the Empress Catharine;* and the result of this brilliant journey was another war, which the English and the Prussians impolitically instigated the Turks to undertake, and which served as a fresh instrument to the ambition of Potemkin, by affording him the occasion of conquering Otchakof, which remained to Russia, and of obtaining the grand ribbon of St. George, the only decoration that was wanting to his vanity. But these triumphs were the term of his life. He died in Moldavia almost by a sudden stroke; and his death, lamented by his nieces and a small number of friends, concerned only his rivals, who were eager to divide his spoils, and was very soon followed by a total oblivion.

Like the rapid passage of those shining meteors which astonish us by their lustre, but are empty as air, Potemkin began every thing, but completed nothing; disordered the finances, disorganized the army, depopulated his country, and enriched it territorially with other deserts. The fame of the empress was increased by his conquests. The admiration

* In the third volume of the "*Souvenirs du Comte de Segur*," is a full account of this journey. He was present as ambassador of France.

they excited, was for her ; and the hatred they raised, for her minister. Posterity, more equitable, will perhaps divide between them both the glory of the successes and the severity of the reproaches. It will not bestow on Potemkin the character of a great man ; but it will mention him as an extraordinary person ; and, to draw his picture with accuracy, he might be represented as a real emblem, or as the living image, of the Russian empire.

He was, in fact, like Russia, colossal ; in his mind, as in that country, were to be seen the contrast of cultivated districts and desert plains. He also partook of the Asiatic, the European, the Tartar, and the Cossack ; the rudeness of the eleventh century, and the corruption of the eighteenth ; the surface of the arts, and the ignorance of the cloisters ; an exterior of civilization, disfigured by many traces of barbarism. In a word, if we might hazard so bold a metaphor, even his two eyes, the one open, and the other closed, remind us of the Euxine always open, and the northern ocean so long shut up with ice.

This portrait may appear overcharged, nay gigantic ; but it is strictly accordant with truth. Potemkin had many faults ; but, without them, he would neither have got the mastery of his sovereign, nor that of his country. He possessed precisely all the eccentric and rare qualities adapted to retain permanent power over the mind of so extraordinary a woman, as the Empress Catharine of Russia.

SKETCH OF THE STATE OF EUROPE IN THE SIXTEENTH CENTURY.

DURING the sixteenth century, the attention of the reader of modern history is forcibly drawn towards England, France and Spain, governed by three tyrants, Henry the Eighth, Francis the First, and Charles the Fifth, who considered their subjects as mere instruments to serve their political purposes. These countries, overrun in their infancy by foreign invaders, after having passed through the ordeal of feudal slavery, were now forcibly ruled by sovereigns who were indebted for the plenitude of their power to the vigour with which their sires had extinguished feudal supremacy. The victory indeed was so complete, that the monarchs turned their attention to foreign conquests, and the haughty nobles whom it had required so much perseverance and activity to subdue, now thought themselves sufficiently honoured, by being permitted to share in the glory and reverses by which their masters were ever surrounded, while attempting to encroach upon each other's dominions. Those assemblies, which convey the idea of a people's possessing a share in the management of their affairs, and which, in earlier ages, were considered necessary to carry on a government, were now either extinguished, or lay completely at the disposal of the sovereign power, rendered the more absolute, as it was thus furnished with a semblance of concession from those whom it oppressed.

Parliaments, cortes, or states-general, can never possess any power, until the supremacy of the people, or at least their due participation in the management of state affairs, be virtually acknowledged.

It is, however, impossible that this influence should be beneficial, until the majority of a nation have become so far acquainted with a knowledge

of their prerogatives and duties as duly to appreciate their importance. Religious freedom preceded civil liberty : the despotism of popes made way for that of monarchs, in the same manner as absolute monarchy was afterwards superseded by representative assemblies. These changes, in every country, are ever accompanied by shocks the more severe, as the parties holding power are more tenacious of it, or are invested with more formidable means of resisting their opponents who seek to supplant them. As modern civilization advances, it, however, affords consolation to behold those revolutions succeed which bestow advantages upon the great mass of the people.

The effects of the revival of literature in modern times were more particularly felt during the sixteenth century ; before this period, they had been destined chiefly to amuse, but were now directed to instruct the mind in that knowledge which was most calculated to enhance general utility. The theories of Aristotle could no longer stand before the demonstrations of experimental philosophy. Bacon, Descartes, Kepler, Copernicus, Galileo, Montaigne, Bodin, Grotius, Torricelli, whose names appear at the head of the learned in their respective countries, materially advanced its progress, by putting into open practice the result of their laborious researches in the improvement of science. The moral courage and resolution with which these men persevered in their generous efforts to emancipate the mind from the sway of monks and inquisitors equal their genius : no punishments, in fact, were deemed too severe for them by their enemies, who, foreseeing the downfall of their own power, with the reign of ignorance in which it originated, endeavoured to avert it by the cruelties they inflicted upon all who thwarted their designs.

The inventions of the compass and of printing were also destined, during the sixteenth century, to exert the greatest influence in improving the state of society ; the first, by bringing mankind from the remotest parts of the earth in contact with each other, gradually taught them to exchange their respective commodities ; the second, by affording an easy method of placing individual ideas of improvement within the reach of the great mass of society, enabled it to discover the means by which its state could be most effectually improved. One was the forerunner of the discovery of America, the other was that of the reformation.

These events were sufficiently great to absorb the attention of European monarchs, who, after a long and severe contest for supremacy, have thought of devoting themselves to the means by which they could best secure the advantages accruing from the one, and guard against the encroachments upon their sway which were likely to attend the other. The successors of Ferdinand and Isabella, at the head of European monarchies, monopolized for a time the treasures of the new world, in quest of which the valour and perseverance of the first adventurers have been almost eclipsed by the number and magnitude of their crimes. Had even the clergy, in those days of monarchical omnipotence, felt the dictates of humanity, they dared not question the right assumed by their masters of despoiling and plundering the helpless aborigines.

It was reserved, in much more recent days, for the immortal James Cook, when discovering new regions, to treat the inhabitants as his equals, and call them to partake in the blessings of civilization, instead of torturing them in the name of a religion, which teaches forbearance, charity and mercy, as fundamental principles. Spain, notwithstanding her advantageous position, her establishments in America, and the power of

Philip, could not maintain the elevated position his father had obtained for her in the governments of Europe. The cruelties of Philip, and the despotism of his monks, annihilated her influence abroad, and destroyed the main source of her prosperity at home.

Trade, without liberty, can never prosper; hence, we see it shun the most fertile territories, and happy climes, to seat itself amidst the marshes of Holland, beyond the reach of the inquisition.

Protestant communities, where toleration generally reigned, soon attained to commercial supremacy. Antwerp and Amsterdam became the emporiums of the universe. To their triumph over Spanish oppression, the Netherlands were indebted for the boon of religious freedom, accompanied by commercial ascendancy.

France was too deeply engaged in a civil war for religious liberty, to attend to the discoveries which other nations were making for the benefit of commerce, though the names of several distinguished Frenchmen appear amongst the earlier navigators; and still, this was the age of the regeneration of her laws and jurisprudence. De Thou, and De Harlay, as judges, Cujas, Du Moulin, and D'Argentré, as civilians, De L'Hopital, and Sully, as statesmen, are an honour to their country and their age. Not so of England, which assisted Holland in its religious emancipation, and was governed by a princess, who, at the head of protestantism, nobly supported it against the power and duplicity of her enemies: her persevering efforts in this great cause, and the encouragement she bestowed upon trade, created an emulation amongst her subjects, which fully prepared them to participate in the great inventions and discoveries which took place in the course of the sixteenth century. The jealous eye, with which she viewed the influence that Spain was likely to acquire from her discoveries in America, prompted her to take an active part in maritime adventures, which now held out fair prospects of promptly amassing immense wealth. Enthusiasm, since the age of chivalry, had never risen to a greater height; glory, fame, and wealth, were all expected to flow in the train of successful transatlantic expeditions. The British, alive to the advantages of their geographical position as an island, resolved still further to improve it by ardently devoting themselves to pursuits which held out such enviable prospects.

In the infancy of navigation, though a number of rash attempts to explore the earth ended most fatally for a great number of the enterprising speculators, they still evinced a degree of perseverance and courage, which have been the admiration of much more recent times. No sooner was the problem as to the existence of the American continent solved, than immediately the human mind assumed quite a different direction; hence, indeed, may be dated the reign of modern industry. These expeditions proved afterwards to be the school in which those genuine characters were raised, that delivered their country from the most dangerous armament by which it was ever assailed, and also the foundation of its unquestionable supremacy, as a maritime power. The names of Drake, Cavendish, Frobisher, Hawkins, and Howard, would have been handed down to posterity, though Philip had never fitted out the armada for the suppression of protestantism. Admiration, however great for such characters, must not so far overcome impartiality as to overlook the cruelty and plunder they perpetrated on the shores they thus visited. The denomination of trade was thus bestowed upon crimes of the most horrid dye. The greatest men indulged in it. Drake, so renowned as a

warrior, so enterprising as a navigator, was the most terrible freebooter in Europe. A guilty craving for luxury induced man to speculate upon the lives and bondage of his brethren. A conscious sense of our long apathy for deeds of the kind, may, in some measure, induce us to quell the voice of indignation, on reflecting that it is only within a very recent date that the plunder and bondage of weaker tribes, under the name of the slave trade, has been disallowed by civilized governments. The possession of wealth, without regard to the means by which it was raised, was the ruling passion. National animosities still continued increasing ; and in the civil wars which shortly afterwards ensued in France and England for the enjoyment of civil and religious freedom, the hatred the opponents bore each other assumed a still more deadly character. Trade, by bringing foreigners frequently in contact, and representative assemblies, by affording individuals frequent opportunities of debating upon their affairs, will greatly allay that national and individual resentment, which thus far has proved so favourable to tyranny. International laws and charters were long considered as dead letters, fit only to decorate the libraries of the learned. In the sixteenth century, individual opinions upon such subjects were scarcely tolerated ; it required many revolutions, before every member of the state enjoyed the freedom to discuss, and openly censure, the conduct of its rulers.

Thus did the reign of feudalism make way for that of industry and commerce ; the commons daily growing more rich and powerful, though under the controul of an absolute ruler, had received the impulse which leads to the knowledge of liberty, and which tends to secure it. England also was materially benefitted by the Netherlanders, who, assailed by persecution, fled to her shores, bringing with them their skill in manufactures, which opened to their adopted country another channel through which its future prosperity was to be greatly enhanced. P. J.

THE DEATH OF MAHOMET.

TRADITIONISTS of grievous tidings, and narrators of heart-breaking events, have handed down to us, that in the tenth year of the Hegira, after the prophet had performed his last pilgrimage, on the day named Ursa, and in the plain named Ursaat, the following sentence was communicated to him from heaven : " Now have I completed the work of your religion, and bestowed perfect happiness upon you." After which, whenever he preached, he mixed with his discourse the tidings of his expected and welcome dissolution.

At length, on the 28th of the Moon Suffer, of the eleventh Hegira, the prophet repaired to the burial ground of Bukea, and passed a considerable time in prayer for the souls of those whose remains were deposited in the tombs around him ; on the following day he was seized with a head-ache, in which condition he came forth, and gave directions for the people to be assembled, as he was about to preach to them for the last time. When they were arrived, he ascended the pulpit ; and, having concluded a long discourse, he addressed them in these words : " Know, O ye people, that my dissolution is at hand ; my desire of being united to God overpowers me, and I shall quickly depart from among you ; say, then, in what manner have I not performed my prophetic mission for

your salvation? For your sakes, and for religion, I have struggled, whilst you, in return, have smote my teeth, and defiled my face with blood." They acknowledged the truth of what he said; that he had shown them the right, and taught them to shun the crooked, path; and they beseeched the Almighty to reward him accordingly. The prophet then, in the name of God, solemnly enjoined any one whom he might have struck, to arise and take reparation; or any one he might have injured in his property, forthwith to receive back whatever was his due; on which a man, named Akausha, rose and said: "O prophet, since you so earnestly urge this matter, I should be a sinner, if I continued silent; know then, that in the expedition to Tebouck, intending to smite your female camel, Kulwah, the whip descended on my shoulders, and was attended with excruciating pain: for which I now expect retaliation." "May God reward you in both worlds," replied the prophet, "O Akausha, for giving me an opportunity of compounding this affair now, and for not having deferred it to the day of judgment; can you inform me with what whip the offence was committed?" Akausha answered that it was with the rod Mamshuke, having a thong suspended from the end of it; which the prophet ordered immediately to be brought.

In obedience to the commands of his master, Soliman repaired to his master's house, and knocked at the door of Fatima's apartment, repeating the usual salutation observed towards the prophet's family. Fatima knew the voice, and on being advised of his errand, observed that as her father was afflicted with a fever, and had not strength to sit his horse, he could have no occasion for such an instrument. On being informed of further particulars, she gave a loud shriek, and solemnly adjured Soliman to impress on Akausha's mind that out of regard to the weak and sickly constitution of her father, he ought to be merciful, and spare him.

When Soliman had departed, Fatima sent for her sons, Hussien and Hossain, and acquainted them with what had happened, bidding them repair to the place where their grandfather was, and instead of one stroke, which Akausha was about to inflict on him, receive each an hundred in his room. When they informed the prophet of the business on which they had come, he pronounced that they could not grant retaliation for that which he had committed; at the same time desiring Akausha to rise, and strike. Akausha observed, that as his shoulders were bare when he received the blow, the prophet's ought to be submitted to him in the same condition, which the holy man prepared to do, a murmur of mingled pity and indignation arising from the angels of heaven, who beheld the scene. But when Akausha saw the naked shoulders of the prophet, and beheld thereon the seal of his apostolic mission, he sprang forward, and applied his lips to the holy sign, saying, "O prophet, to kiss this mark, and not to obtain retaliation, was the object I sought after, yourself having often pronounced, Whoever touches the skin of my body, him the fire of hell shall spare."

The prophet now descended from the pulpit, his indisposition visibly increasing. He desired Ali to leave him, and seek repose; which having done, he returned, and informed his father-in-law that in a dream he had beheld himself clothed in complete armour, which on a sudden was torn from his body. The prophet replied, "That armour am I, of whom you are about to be deprived." Fatima came next and related that being in a deep sleep, she thought she held in her hand a sheet of the holy koran, which was suddenly ravished from her sight. The prophet replied,

"That sheet of the koran am I, who shall be quickly lost to you." Hussen and Hossain related, that in their dreams they had beheld a throne moving on the bosom of the wind, under which they walked with their heads uncovered. The prophet replied, "That throne signifies my coffin; under which you will soon walk, in the manner represented to you."

Ibnabbas informs us, that the Almighty commanded the angel of death, saying, "Repair to my beloved Mahomet, but touch not his immaculate soul, without his own acquiescence." Isrâiel, attended by a host of kindred spirits, in the disguise of an Arabian villager, transported himself in an instant to the prophet's habitation, with the commission of God in his hand. He repeated the customary salutation, and begged admittance as having come off a long journey. Fatima was sitting by her father's pillow, when she heard the voice, and desired the stranger to call another time, as the prophet was not at leisure.

A repetition of the request, by Isrâiel, was followed by an answer couched in the same terms. The third time, it was demanded in a peremptory tone, which struck the family with terror. The prophet opened his eyes, and demanded the cause of their consternation. Fatima answered, "That an extraordinary stranger, who stood at the door, had thrice demanded admission and would take no denial." The prophet asked, if she knew not who it was? She answered, "God is wise, I know not." "He is," pursued the prophet, "the destroyer of lusts, the annihilator of passions, the maker of widows, and of orphans; an intruder, who opens doors without the assistance of a key, and lays prostrate without the aid of arms. He is, my daughter, the angel of death, and attends for the soul of your father, whose threshold he respects, or he had entered without hesitation, it not being his practice to wait for admission; open the door, that he may come in." "Alas!" exclaimed Fatima, "then the ruin of Medina approaches, for its protector is about to depart."

The prophet desired her to be comforted, as even angels would behold her grief with concern. With his holy hands, he wiped off the tears which ran down her cheeks, beseeching the Almighty to give her patience and resignation to support his loss, and enjoining her, as soon as death should have closed his eyes, to repeat the following sentence: "From God we are, and to God we must return." Fatima continued to dwell on her approaching bereavement, in the most moving terms, but was interrupted by her father, who again desired that Isrâiel might be admitted.

The angel of death now appeared, saying, "Peace be to the prophet! The Almighty has sent you his blessing, and restricted me from touching your soul till I have your permission." The prophet replied, "It is my request that you refrain from it till Gabriel arrives." That angel, in the mean time, had received his commission to repair to Mahomet, and carry to the beloved of the Almighty a turban, made from the texture of the cloth of Paradise. Weeping and lamenting he stood before him, and was gently taxed by Mahomet with having forsaken him in his present awful situation; this the angel excused, alleging that he had been employed about his affairs, and now brought him the joyful tidings which he himself so eagerly desired, to wit, that the violence of the flames of hell had been abated for his passage, the gardens of Paradise adorned, and hosts of angels drawn up for the reception of his soul. The prophet acknowledged the goodness of God; but added, that his mind was oppressed with cares for the future fate of his disciples. Gabriel desired him to be

under no concern on that account, as the Almighty would work out the salvation of as many of them as he should desire. The prophet then beckoned Israëliel to come forward and execute his commission ; which, while he was doing, the Lord of the world fixed his eyes on the ceiling, and repeated the name of the Most High ; when his hands, which were clasped together and extended, suddenly dropping on his breast, his soul took its flight to the presence of its Creator. This narrative is taken from the *D'éh Mujlis*, which is itself an extract from a larger work entitled, *Rodhut 'ûs Shôda*, or the Garden of Martyrs, written by Mulla Hûssain Wâlz. The *D'éh Mujlis* consists, as the name implies, of ten such narratives as the one here presented to our readers ; each containing an account of the death of one of the Mahometan patriarchs, or some other distinguished personage, as, for instance, of Fatima, the daughter of the prophet. A portion of the *D'éh Mujlis* is read daily, during the *Ashoorah*, or solemn mourning, celebrated by the Mussulmen on the first ten days of the month of Mohurram.

FIRST REPORT OF THE CENTRAL SOCIETY OF EDUCATION.

LONDON.—TAYLOR and WALTON, Upper Gower Street.

THE philanthropic and enlightened classes of society, in all the civilized countries of Europe, have rightly concluded that the very first of social duties is to provide education for the people. If men do not understand their moral obligations, we cannot expect them to be performed ; if they cannot appreciate the beauty and the advantages of virtue, it is not surprising that they should pursue vice ; nor are we to wonder at the prevalence of crime in adults, if the season of youth is not employed in imbibing correct and righteous sentiments. Many years have elapsed since individual exertions were made to circulate knowledge, but these efforts, however laudable, were comparatively useless, from the want of co-operation, while the aristocracy, patronizing the ignorance in which themselves were enveloped, denounced popular education as an engine for destroying church and state ; or, in truth, the aristocracy felt that, if the public were intellectually qualified to criticise, clergymen would have to study divinity in earnest, and statesmen learn the principles of constitutional jurisprudence, a degree of labour which their predecessors had never undergone. It is one of the most glorious signs of modern times, that the most virtuous and the most active persons in England have organized themselves into societies for the specific purpose of disseminating knowledge, among whom the Central Society of Education holds perhaps the most eminent rank, from the influence, character, and zeal of its members.

The first publication of this society is now before us. It consists of various Essays, with the signature of each contributor annexed, so that responsibility for the opinions expressed, or the facts stated, is not general, but personal, one of the best guarantees for truth. The general arrangement of the work has been confided to B. F. Duppa, Esq., the honorary secretary and editor, and we have much pleasure in stating that he has performed his task with very great credit to himself, and, we have no doubt, to the entire satisfaction of his colleagues. The contributors are Thomas Wyse, M. P., Dr. Reid, of Edinburgh, Charles Baker, Director of the Asylum for the Deaf and Dumb at Doncaster,

Benjamin Hawes, one of the members for Lambeth, Augustus de Morgan, professor of mathematics in the London University, and other gentlemen of literary reputation. We shall now select extracts from several of the articles, to convey some idea to our readers of the utility of the publication.

The first paper from the pen of Mr. Duppa serves as an excellent introduction to the whole, and he thus states the objects of the society :

"Hitherto those who have interested themselves in the cause of education have confined their exertions principally to the erection of schools; and the number of these, not the quality of instruction given in them, have been appealed to as indicating the state of education; and whatever inquiry has been made, or discussion raised, has created but even little temporary interest; the works in which they were published have passed away with the day, and the old systems, unaffected by any of the facts, or arguments which may have been adduced against them, continue steadily in the exercise of a sway to which men's minds have been habituated. It is conceived, therefore, that if the Central Society of Education would render any aid to the cause it has undertaken, it must commence by ascertaining the objects of education, and determining the means of attaining them. For this purpose, it is proposed (in the spirit of calm and dispassionate inquiry) to give the various branches of this subject a considerate and laborious investigation; heaping fact upon fact, and argument upon argument, classifying and opposing, and, in the instances in which it can be done with safety, drawing a conclusion; and thus attempting to give to the theory of education a more scientific character than it has as yet assumed. The Society does not underrate the obstacles with which it will have to contend. But, regarding education as that which is to determine what this nation—what Europe—what mankind is to be; attributing the great misery which exists, and which ever has existed, in the world, not to the design of Providence, but to the erroneous direction of the energies of mankind; and considering that, by the aid of education, the condition of humanity is capable of an improvement which has never yet been known,—the Society has resolved to endeavour to combat some of the many difficulties by which this great question is surrounded, with a sanguine hope that all the good, the learned, and the noble-minded in the land, will lend a helping hand towards the accomplishment of the design."

Mr. Duppa then examines what system of education is best suited to both sexes, and enlarges on this subject, following the arrangement adopted in the prospectus of the Society, which embraces the following classification. 1.—Primary or Elemental Education. 2.—Secondary Education. 3.—Superior or University Education. 4.—Special or Professional Education. 5.—Supplementary Education. We cannot enter into details, but we sincerely add our humble testimony of approbation to the views so ably illustrated by the author.

The second article, "On the progress and prospects of education in the United Kingdom," is from the able pen of the eloquent and philanthropic Mr. Wyse, in which he reviews the systems pursued in England, Scotland, and Ireland. It is a most valuable paper, and deserves to be read by every real friend of humanity. We extract the following noble passage on the brutal system of flogging.

"Corporal punishment still maintains possession of the large majority of the Scotch parochial schools. They still go on the old presumption that mankind has got so much of the beast nature in him—is so entirely the bear ill-civilized of some philosophers—that none but bear and bear arguments are likely to make impression on his sensibilities. But fear—and, above all, a base fear, tainting, humbling, breaking down those very energies which it is the glory of civilization to raise up—the fear of bodily suffering of the slave's lash and tyrant's frown; if such a fear were a natural inmate of the youthful heart, it should be expelled—but by all gentle means, by kindly sympathies, and perfect good will. What a contradiction is the whole order of our social organization, if this be just, meet, and available to our training! What miserable nonsense to talk of our British freedom, and our manly spirit, and our gentlemanly honour, if the first lesson to

be written in stripes on the back of our children, is this duty of submitting to, of shrinking before, mere *manual* correction! We plant oppression and the vile yielding to oppression—a bondsman's and a despot's spirit, (they are never disjoined,) in the youthful heart. Can we be surprised, in after life, that with all our pompous simulation of freedom, beneath all the miserable fag-system should lurk. The cruel old womanism of some of our journals treats this as visionary; no doubt it does; it would in other times have drowned witches with James the First, or burnt Jews with Philip the Second. In the opinion of these journals, we hold our knowledge from the birch, as we do our virtue from Jack Ketch."

We entirely agree with Mr. Wyse in deeming it necessary that education should become an affair of the State, and be placed under national control.

Teaching has degenerated into the vilest of trades, and the majority of those, who set up schools, merely speculate on the profits of feeding the children. We need not travel out of Guernsey to see the abominations of this system, for we ourselves have seen a letter, intended for publication in the *Star* newspaper of this island, written by a schoolmaster of twenty-five years standing, in which scarcely a word was correctly spelt, and not one sentence grammatically composed. It is really lamentable to reflect on the folly of parents, who send a boy to what, in money, appears to be a cheap school, but which is really dear, as no equivalent whatever is obtained for what is paid; the father is robbed, and the child injured.

Mr. Wyse puts forward the following recommendation, which we most sincerely hope may be adopted by the legislature:

"A Board of Education for England, another for Scotland, a third for Ireland, all acting under a minister of Public Instruction here, with large powers over old and new endowments, and with adequate funds, composed fairly, and acting under constant Parliamentary and Government inspection; but, above all, under the universal public eye; a wise share of co-operation granted, and required from the people, in parishes, towns, counties, and provinces, through the public bodies most appropriate in each,—this I conceive to be the first preliminary to all real reform of a general nature in our national education; the only reform indeed which can give it a national character, or leave us the hope that our posterity will enjoy a sound, universal, and permanent system."

"The Education of the Senses," by Mr. Baker, is a very interesting article, explanatory of the mode in which education is conveyed to the blind, the deaf, and the dumb. The Abbé Sicard and the Abbé de l'Épée have left imperishable names in France, for their benevolent exertions in this arduous mode of instruction. We may here introduce two ingenious answers given by Massieu, the metaphysical pupil of the Abbé Sicard, as showing how the faculties even of the deaf and dumb may be developed. When he was asked what he understood of a bodily sense? "A sense," said he, "is an idea-carrier" (*porte-idée*). And being asked, "What is hearing?" he replied, "It is the auricular sight." These answers are perfectly philosophical, and they show how admirably Massieu was acquainted with the operations of the senses.

Mr. Baker gives several specimens of the educational exercises used in teaching his pupils, but they are of too dry a character to please the generality of readers; we, therefore, pass them by, and extract his account of the deaf, dumb, and blind, who have been distinguished for their talents,—a fragment of biography little known, but which will serve to encourage the benevolent in the task of their instruction.

"A few years ago, a gentleman who had been deaf and dumb from his infancy, was called to the bar by the society of the Middle Temple. He had received a good legal education, and was considered very clever as a conveyancer. This is

the only instance we know of a deaf and dumb person making choice of the law as a profession. Deaf and dumb artists are numerous; there are few authors, and we know of some sculptors. The manual trades in which the blind have shown dexterity are more limited than those which are followed by the deaf. The male pupils of our asylum for the blind weave sackcloth, make all kinds of baskets, spin different sorts of twine, make and repair mattresses, door mats, rugs for the hearth, door, table, and carriages; and in some asylums they make shoes, both of listing and leather. The female pupils are employed in the finer kinds of basket work, in knitting, spinning, netting and sewing; they also perform certain portions of household labour. The liberal arts in which the blind have distinguished themselves will be best seen by a slight notice of some individuals of our own country who have risen to eminence. It is matter of regret that we cannot often ascertain by what process they were enabled to achieve their cultivation so successfully, what external helps they made use of in their endeavours, what obstacles they encountered, and the means they adopted for removing them, and for pursuing their studies with satisfaction and profit. The following names are mentioned for the purpose of exhibiting the various departments of knowledge in which they attained distinction. Sir John Gower is famed as one of our early poets. Henry the Minstrel recorded the exploits of Sir William Wallace. Dr. Nicholas Bacon—descended from the family of Lord Verulam—successfully studied the law, and in his pleadings gave satisfaction to his clients. The Rev. John Troughton, of Coventry, was a celebrated nonconformist divine, and author. Dr. Saunderson held the office of Lucasian professor at Cambridge; he received his early instruction in arithmetic from his father. When a young man, such was the vigour of his mind, that he required only *books and a reader*, on any subject to which he desired to devote himself. He acquired many of his ideas by the sense of feeling; small degrees of roughness, defects of polish, the passing of a cloud, the approach of any object which gave an impulse to the air, he accurately discerned. By the quickness of his hearing, he could judge of the size of a room, his distance from a wall, and even distinguish the fifth part of a note in music. His abacus, or palpable arithmetic, has been often described; it has been much improved since his time.—Dr. Blacklock is another eminent instance of what the blind may accomplish. He was born in quite an humble station, his father was a bricklayer: his first instructions were *oral*, his father read to him; at first, from books suited to a child's capacity, and afterwards from the works of Milton, Spenser, Prior, Pope, Addison, &c. When a young man, having become known through his poems, he embraced the means which were offered him of studying at a grammar school at Edinburgh, and afterwards at college. He made himself acquainted in later life with various sciences, the learned languages, and several modern languages: French he learned from his intimacy with a private family, the mistress of which was a Parisian.—John Metcalf, commonly known as Blind Jack of Knareborough, was an extraordinary character; and most extraordinary indeed were the occupations in which he chose to employ his diversified talents, exhibiting the most fertile expedients to supply his natural deprivation. He was a successful competitor with other surveyors in projecting roads, and contracting for them over districts presenting numerous impediments. Hunting, dancing, card-playing, racing, buying and selling horses, acting as a guide, were some of the employments in which he successfully engaged. As a contractor, carrying roads across moors and over mountains, his achievements are worthy of remark; Dr. Bew, speaking of him in this capacity, says, "I have several times met him, with the assistance only of a long staff, traversing the road, ascending precipices, exploring valleys, and investigating their several extents, forms, and situations, so as to answer his designs in the best manner."—Of Dr. Moyes we have many interesting and useful particulars in Dr. Bew's Memoir on Blindness, in the transactions of the Manchester Philosophical Society. "When introduced into company, he remained for some time silent. The sound directed him to judge of the dimensions of the room, and the different voices of the number of persons present; his distinctions in these respects were very accurate, and his memory so retentive, that he was seldom mistaken. He determined pretty nearly the stature of those he was speaking with from the direction of their voices. He was an improver of the system of tangible arithmetic invented by Dr. Saunderson.—John Gough was a close observer, and a voluminous writer, chiefly on subjects connected with natural philosophy. He was an accomplished botanist; he examined, discriminated, and arranged his plants with the greatest accuracy. Ordinary plants were known to him by the touch of his fingers; those that were new he examined in their various parts by the tip of his tongue."

The "Statistics of Crime and Education in France" is a very instructive article, and proves from facts, officially collected and bearing the clearest stamp of authenticity, that ignorance is the parent of vice, and education the surest promoter of virtue. We recommend the following extract to the attentive perusal of our readers :

"It is chiefly with the view of exhibiting the apparent influence of education, when carried beyond the mere elements of knowledge, that the following abstracts and calculations have been made from the French Criminal tables. It will be seen from these abstracts that, while the average number of persons brought before the courts of assize to answer for offences committed in each of the seven years ending with 1834 was 7,191, the number among them whose education went beyond reading and writing was only 163, or not quite 1 in 44 of the accused, and, if calculated upon the entire population of France, exactly 1 in 200,000. If, for the accusations, we substitute the number of convictions during the same period, we find that the annual average number of those convictions was 4,238, of whom only 65, or only 1 in 65, belonged to the educated class, being 1 in each 501,065 of the entire population of the kingdom. There are not any means in existence for ascertaining the number of persons in France to whom the amount of instruction has been imparted which would entitle them to be placed in the fourth class described in the criminal tables ; but it is not possible to conceive that this number is not immeasurably beyond the proportion in which they are accused of violating the laws, as compared with the numbers among the population who should be placed in either of the other three classes. It is further shown that, on the average of seven years, out of 10,000 persons accused of crimes against persons, only 309 belonged to the educated class ; and that in an equal number of persons charged with crimes against property, only 201 belonged to that class : the proportion of accusations generally against the educated being 227 in 10,000, the remaining number being supplied from the other three classes in the following proportions, viz.

Those wholly ignorant	6,027
Those who read or write badly.....	2,769
Those who read and write well.....	977
	<hr/> 9,773

The same mode of calculation applied to convictions shows the following results :

	Crimes against Persons.	Crimes against Property.	All descriptions of Crimes.
The wholly ignorant.....	6,124	6,351	6,305
Those who read or write badly....	2,769	2,046	2,671
Those who read and write well....	911	860	871
Those superiorly instructed.....	196	143	153
	<hr/> 10,000	<hr/> 10,000	<hr/> 10,000

It is deserving of remark, that the restraining influence of education, as shown by these abstracts, is more apparent in preserving men from the commission of crimes against property than from crimes against persons ; or, in other words, that education is more powerful in preventing crimes which are committed with premeditation, than it is in producing a proper control over our bad passions and impulses. This should not and need not be : that the fact is so, however, is undeniable ; and we can have no hesitation in attributing it to the little care that is taken in most—it might almost be said in all—schools, to discipline the heart, and to form the character, as well as to store the mind. The figures given above should serve effectually to clear education from a reproach which has been constantly brought against it,—that it qualifies men for the commission of one kind of offence from which the ignorant are necessarily free,—the offence of forgery, which is of course included among offences against property. The number of persons convicted of this crime among the well-educated in France, during each of the years embraced by the tables, was :

In 1828.....	6	In 1832.....	6
1829.....	8	1833.....	9
1830.....	8	1834.....	9
1831.....	8		

It is most gratifying to observe that education is making rapid strides in Turkey. We learn, from the article on this subject, that the Rev. Mr. Goodell, an American missionary, has been instrumental in organizing, in the neighbourhood of Constantinople, a number of schools for Turks, Greeks, and Armenians. Mr. Goodell's report is printed in this article, but it is too long for extract; we must, however, find room for the letter of Mr. Urquhart, our secretary of legation at Constantinople.

"The political condition at this moment of Armenia Proper, joined to other considerations, induces me to recommend unhesitatingly Constantinople as the place most eligible for a school, which here will be directed by more enlightened men than it could be elsewhere, which can here be inspected and controlled. This is the centre of whatever instruction they at present possess. To the capital repair yearly, from every portion of the empire inhabited by Armenians, thousands of this sect in search of employment and fortune, who return more or less improved by contact with their more enlightened brethren.

"Three years ago, among the Armenians (not Catholic) there were but 11 parochial schools; at present there are 32: in these and in some private schools, between 6,000 and 7,000 children already receive some rudiments of instruction. Within this short period, these 21 new schools have been built at the expense of the parishes, of companies, or of individuals, who also keep them up and pay the masters: not an Armenian child pays one *para* for parochial education.

"It might be supposed that this sudden development of the desire of instruction, displayed in the erection of so many schools, was effected by the previous extension of instruction among the higher orders; but this is by no means the case: the recent amelioration of the political condition of the tributaries of the Porte has permitted, for the first time, the free expression of their repressed instinct and aspirations, which are so little assisted or encouraged by individual instruction, that, out of the 104 masters at present employed, only 40 can write.

"I cannot close this letter without mentioning to you that I have suggested to the Government here the publication in Turkish of the Penny Magazine; they have adopted the suggestion, and offer their press and the labour of printing, free of charge. In the seventy-eighth number of the *Moniteur Ottoman*, you will find a letter on the effect of publicity in Turkey; which, had it not been printed in that paper, I intended to have sent to the society. The circulation of the *Moniteur* is at present 4,500, and will probably be quadrupled when the regular posts are established.

"I have no doubt that the circulation of the Penny Magazine would very soon be as considerable."

An immense mass of information is collected on the state of education on the continent, with an enumeration of the universities, colleges, and schools, the course of studies, and the number both of professors and students. We recommend the directors of Elizabeth College to look over the contents, and they will there find some useful hints for the improvement of our own institution; particularly, they will see that the flourishing state of the German universities depends essentially on courses of lectures, not one of which is ever given at Elizabeth College.

We shall conclude our notice of this report with the state of education in Egypt and Algiers, wishing every success to the society, and hoping that their second publication may speedily be announced.

"EGYPT.—*New Scholastic System.*—A number of schools of various descriptions have been gradually established under the auspices of Mehemed Ali, but without any unity of system or design. This important point has, however, at last been effected; from henceforth every scholastic establishment will be placed under the control of a public board, of which Mouktar-Bey has been appointed the president. A commission had been previously charged with the task of setting the necessary inquiries on foot, and preparing a comprehensive plan for the Pasha's approval. The plan thus approved divides the several seminaries into three classes; namely, 1. *Elementary*,—2. *Preparatory*,—and 3. *Special schools*; and it lays down as general bases, that it shall be the object of the *Elementary*

schools to diffuse education throughout the land, and fit youth for admission into the Preparatory schools. For this purpose, fifty large Elementary schools are to be established in the twelve Moudirils, or provinces. The *Preparatory* schools will afford the pupils a more extended course of instruction, and qualify them for entering the Special schools. The *Special* schools are designed for educating young men for the public service, both civil and military; and are to comprehend the following establishments,—namely, 1. a “school of Languages,” for the purpose of forming translators of the Arabic, Turkish, and French tongues, and providing teachers for the Special schools;—2. a “Polytechnic school,” to which the Boards of mines, and of bridges and highways, will be attached, until a suitable opening can be made for dividing this school into two distinct establishments;—3. a school of Artillery;—4. a school for the Cavalry;—5. a school for the Infantry;—6. a school for the Navy;—7. a school for Medicine and Pharmacy;—and 8. a Veterinary school. The whole of the pupils in these schools are to be maintained and educated at the public expense, and their numbers are to be carried to 11,000. All the schools are to be placed on a military footing, and the pupils are to be quartered in barracks.

“Measures are in great forwardness for erecting a handsome building at Cairo, in which a museum, library, and cabinet of natural history will be placed. The remaining vestiges of Egyptian antiquity are in future to be treated and preserved as national property.

“The pupils in all the schools we have mentioned are to be carefully selected from among the candidates, and at each step of their progress are to undergo periodical examinations, in order that unqualified persons may not be admitted into the public services. The regulations for the management of each class of schools have been drawn up.

“A school of Translators has been formed; they are employed in preparing works for the press at Boulak, in which upwards of one hundred volumes in Turkish and Arabic have been printed. A native engraver and lithographer, educated in France, have been attached to this press.

“**ALGIERS.**—The government of this colony state in their official Report, that the whole number of establishments for education under its jurisdiction is fourteen; eleven of which are in Algiers itself, and attended by 447 pupils. Of the other three, two are at Bona, where there are 68 pupils, and one at Oran, where there are 62. These fourteen schools, therefore, have 577 pupils in all. Four of those in Algiers, and the three at Bona and Oran, are gratuitous. The system of reciprocal instruction prevails in these establishments; and children are admitted into them without regard to their religious persuasion or their descent. In the two schools for boys and girls which have been opened upon that system in Algiers, and are attended by 116 children, nearly the whole of them are of the Jewish persuasion. A college was opened at Algiers in April, 1835, which has already nearly 50 students, some of whom are natives: they are taught the classics, mathematics, drawing, French, Spanish, and Italian.”

SCHILLER'S WILLIAM TELL.

(Continued from page 28.)

ACT II.—SCENE 1.

Castle of the Baron of Attinghausen.

A gothic hall, decorated with escutcheons and helmets.—The baron, an old man of eighty years, of a lofty and noble stature, dressed in a fur jerkin, and leaning on a staff, headed with chamois-horn—Kuoni, and six other retainers, stand round him with rakes and scythes—Ulrich of Rudenz enters in the dress of a knight.

RUDENZ.

Here am I, uncle—what would you with me?

ATTINGHAUSEN.

Permit that I, as is the usage of my house,
First share the matin-draught with these my servants.

(Drinks from a cup which is afterwards passed in rotation to all present.)

Time was when I was with them both in field
And forest, with my eye their toil directing,
My banner oft hath led them to the battle,
Now I can only play the steward's part,
And if the warm sun cometh not to me,
I can no longer seek him on the mountains.
Thus in a narrower and still narrower sphere,
I move towards the narrowest and the last
Where life stands still.—I am my shadow only
And soon shall be my name and nothing more.

KUONI. (*to Rudenz, with the cup.*)

Here's to you, Squire ;

(*on Rudenz' hesitating to take the cup.*)

Come, drink freely, Sir,

It comes from the same cup and the same heart.

ATTINGHAUSEN.

Now go, my children, and, your labours done,
We'll speak together of the land's affairs. (*Exeunt servants.*)

ATTINGHAUSEN. (*to Rudenz.*)

I see thee, nephew, armed with sword and mail :
Thou'rt bound for Altorf to the Governor's castle.

RUDENZ.

Yes, uncle, and I must begone forthwith.

ATTINGHAUSEN. (*seating himself.*)

What, needs there really so much haste ? Is time
Then meted out so scantily unto thy youth,
That thou must save the space thou ow'st thine uncle ?

RUDENZ.

I see you do not stand in need of me,
I'm nothing but a stranger in this house.

ATTINGHAUSEN.

Alas, thou art so. Yes, to thee thy home
Is now a foreign place ! O, Uly, Uly,
I know thee not ! Rich silks are thy attire,
Proudly thy head displays the peacock's plume,
Thou fling'st the purple mantlet o'er thy shoulders,
Thine eye looks with contempt upon the peasant,
Thou art ashamed of his familiar greeting.

RUDENZ.

His due of honour willingly I give him,
But not the right his arrogance assumes.

ATTINGHAUSEN.

The sovereign's wrath lies heavy on the land,
The heart of every honest man is sad
And sorrowful at the tyrannic power
We're suffering—thou alone the common grief
Affects not.—Thou alone of all art seen
Apostate from thine own, ranged on the side
Of thy poor country's foes, as if in insult
To our distress, pursuing giddy pleasures
And meanly courting princely favor, whilst
Thy country's bleeding 'neath a foreign yoke.

RUDENZ.

The land is sorely straitened—Why, my uncle,
Who then has plunged it into this distress ?
'Twould merely cost a single easy word
Instant to rid it of its grievous troubles
And gain the favour of its gracious Emperor.
But wo to them that blind the people's eyes
And force them to oppose their actual good !

For their own private ends the chiefs deter
 The Waldstatters from plighting faith to Austria,
 Though all the neighbouring cantons round have done it.
 To sit on lordly benches with the nobles
 Pleaseth the boors.—To be *without* a master,
 They wish to have the Emperor as master.

ATTINGHAUSEN.

Must I hear this, and from thy lips, Uly ?

RUDENZ.

You challenged me—allow me to proceed,
 What part, I ask, are you yourself, good uncle,
 Performing here ?—Aspires your pride no higher
 Than being bannaret or country mayor,
 And ruling with these rude untutored shepherds ?
 How ? is it not a far more glorious choice
 To vow allegiance to a royal master,
 And join his splendid court and camp,
 Than be the nameless peer of your own serfs,
 And sit in judgment with the grovelling clown.

ATTINGHAUSEN.

Ah, Uly, Uly, now I recognize
 The voice of base seduction.—She hath seized
 Thy open ear and poisoned thy pure heart.

RUDENZ.

Yes, I will not conceal it—deep in my soul
 The stranger's keen derision wounded me,
 That nicknamed us the boor-nobility.
 I cannot, whilst the noble youth around
 Are gathering honours under Hapsburg's standard,
 Bear to live idly here upon my heritage,
 And meanly waste in common daily labour
 The lovely spring of life.—In other lands
 Deeds are done—a world of glorious fame
 Moves in bright pomp beyond these mountains ;
 My shield and helmet in the hall are rusting,—
 The war-tuned clarion's loud and stirring notes,
 The herald's summons to the tournament,
 Force not their way to these sequestered vales ;
 Nought save the *ranz des vaches*, the samely tinklings
 Of cattle bells amongst these scenes I hear.

ATTINGHAUSEN.

Deluded youth, seduced by empty glare !—
 Despise thy native country, be ashamed
 Of the pure ancient manners of thy fathers,
 The time will come when thou, with scalding tears,
 Wilt long for thy paternal hills again !
 And the rude music of the shepherd dance,
 Which thou despisest now with proud disdain,
 Will seize thy youthful heart with painful sadness,
 When in a foreign land it strikes thine ear.
 The false, the alien world is not for thee ;
 It will demand far other qualities
 Than thou amongst these vallies hast acquired.
 —Go, then, sell thy free soul, take lands in fief,—
 Become the purchased servant of a prince,
 When thou couldst be an independent lord,
 A prince on ground and soil thine own and free ;
 Ah, Uly, Uly, tarry with thine own !
 Go not to Altorf—O desert it not,
 The sacred cause of thy poor father land !
 —I am the last one of my race. My name
 Will end with me. There hang my shield and helmet,
 These they'll send with me to my last abode.

And am I at my latest breath to think
That thou but waitest for my glazing eye
To go before this recent court of fiefs
And there receive the noble lands from Austria
Which I received so wholly free from God?

RUDENZ.

In vain should we resist or thwart the king,
His are the marts, the courts of justice, *his*
The merchant's roads; the sumpter-horse itself
That journies o'er the Gothard pays him toll,
His lands enclose and bind us like a net;
No, uncle, 'tis a wise and prudent council,
In these sad heavy times of party spirit,
To join some mighty chief.

ATTINGHAUSEN.

Art thou so cunning?

Wouldst see more clearly than thy virtuous fathers,
Who with their blood and fortunes bravely fought
To gain the costly jewel liberty?
Sail to Lucerne, ask there how heavily
The rule of Austria lies upon the land;
Soon will they come to count our flocks and herds,
To measure out our Alps, forbid the game
And wild-fowl in our woods, guard with their toll-booths
Our gates and bridges, for their purchases
Of lands they with our poverty will pay,
And with our blood wage on their tyrant wars.
—No, if we are to risk our dearest blood,
Let it be *for ourselves*—we shall obtain
Liberty cheaper far than bondage.

RUDENZ.

What can we,

A shepherd-nation do 'gainst Albert's armies?

ATTINGHAUSEN.

Learn thou to know this shepherd-nation, boy!
I know it, I have led it on in battles,
I've seen its sons fight at Faventuim;
Let them dare come to force a yoke upon us
Which we have all determined not to bear.
—O learn to feel from what race thou art sprung,
Cast not for empty pomp and tinsel glare
The genuine pearl of thy true worth away—
To be the chosen chief of a free people,
That would for love alone adhere to thee
And faithful stand by thee 'mid strife and death,
Be that nobility thy boast, thy pride.—
The bonds by nature formed bind fast and firm;
Ally thyself to thy dear father land,
And to thy fervent bosom hold it clasped.
Here grow the strongest roots of thy full strength;
In yonder foreign world thou stand'st alone,
A tottering reed which any storm may crush.
O come! 'tis long since thou hast been with us,
Try not to stay one day, one single day,
Go not to Altorf—Hark thee! not to day
This one day only give up to thy friends. (*taking his hand.*)

RUDENZ.

My word is pledged—Let me begone—I'm bound.

ATTINGHAUSEN.

(*withdrawing his hand, and in a serious tone.*)

Thou art bound—bound indeed, unhappy creature,
But not by word and vow—but by love's bonds.

(*Rudenz turns away his face.*)

—Aye, hide thy visage as thou wilt—The lady
 Bertha of Bruneck at the Governor's 'tis
 That draws and chains thee to the Emperor's service.
 With thy defection from thy country, thou
 Wouldst buy the titled maid—Cheat not thyself!
 The maid is shown thee merely as a lure;
 For innocence like thine she is not meant.

RUDENZ.

I may not listen longer—Fare you well! (Exit.)

ATTINGHAUSEN.

Insane young man, hold, stay!—Alas, he's gone!
 I cannot keep him with me,—cannot save him!
 Thus too did Wolfenschiessen from his country
 Revolt—and thus will others like him follow;
 A foreign charm decoys our youth away,
 Who wildly long to leave their native hills.
 O luckless hour, in which these alien customs
 Entered these happy vallies, to destroy
 The simple innocence that graced our manners!

J. D. PIERCEY.

THE ROMAN DE ROU.—No 12.

(Continued from page 96.)

THE night preceding the decisive battle of Hastings was passed by the English in drinking and debauchery; by the Normans, in prayer, and the confession of their sins. On the following morning, William divided his army into three distinct bodies, and, in a long harangue, denounced the perfidy of Harold. He proposed that Raoul de Conches, otherwise called Raoul de Tosny, should carry the sacred standard presented to the duke by the pope, that privilege being hereditary in his family; but Raoul declined the honour, saying that he would rather mingle in the thickest of the fray. The custody of the standard was next offered to Walter Giffard, Seigneur of Longueville en Caux, descended from a sister of the Duchess Gonnor, wife of Richard the First, and ancestor of the first dukes of Buckingham. This Giffard received the whole of that county after the conquest, in 1070. The Giffards of Guernsey, we have good reason to believe, are the posterity of this old baron. However this may be, he also refused to carry the standard, assigning the same reason as Raoul de Conches. It was ultimately confided to Toustain, the son of Rollo the White, which is confirmed by Ordericus Vitalis.

The first division of the ducal army, composed of the troops of Picardy, and the mercenaries promiscuously collected from the different states of the continent, was commanded by Roger Montgomeri, Earl of Alençon and Bellême, in right of his wife Mabile. As a recompense for his services, he received the county of Shropshire, the town of Chichester, and Arundel Castle, now the property of the Duke of Norfolk. He died in 1094.

The second division, formed of the corps from Brittany, Mantes, Poitou, and the country round Boulogne-sur-Mer, was placed under the order of William de Breteuil, the duke's senechal; and the third division, exclusively composed of Normans, was commanded by the duke in person.

Wace then describes with great minuteness the weapons of the Normans, the signs adopted for recognition, and the order of their march: he next enumerates the different counties from which the English army

was drawn ; details the orders of Harold, and the instructions of Gurth ; and again repeats the charge of cowardice against the English prince at the sight of his enemies.

The battle commenced by the exploits of the Norman Taillefer, who sang the song of Roland, and who demanded the honour of striking the first blow against the English, one of whom he kills, and wounds another, the signal for a general attack. Wace, who has recorded the battle of Hastings with most minute details, has nevertheless omitted, in this place, one fact which could not but have exercised a great influence on the rude and superstitious soldiers of the Anglo-Saxon army. We allude to the very extraordinary skill of Taillefer in using his weapons, which appeared to them magical, and which is attested by the tapestry of Bayeux, Geoffrey Gaimar, and Henry of Huntingdon, and which created general consternation, as it seemed to be the effect of supernatural agency. *Quidam vero nomine Taillefer, diu antequam coirent bellatores, ensibus jactatis ludens coram gente Anglorum, dum in eum omnes stuperent, quemdam vexilliferum Anglorum interfecit.* Henry Huntingdon, l. vii.

The Normans, in attempting to cross the ditch which circumvallated the English entrenchment, were slaughtered with frightful carnage ; they were seized with a panic, which produced great confusion, but were quickly rallied by Odo, Bishop of Bayeux, uterine brother to the duke. From nine in the morning till three in the afternoon, little advantage was gained on either side. The Norman archers then fired their arrows in the air, instead of in straight lines, which made the English fearful to look upwards, and in this manner Harold was wounded in the eye. Still the Anglo-Saxons stood firm. William now ordered his troops to retreat, which stratagem lured the English from the hill they occupied in the middle of their entrenchment ; they pursued the Normans into the plain, who suddenly turned round, and having all the advantage in cavalry, they soon thinned the English ranks.

Wace now enumerates the valour of the principal Norman barons, whom we shall particularly describe, as being so intimately connected with the founders of the British monarchy. He first speaks of Roger de Beaumont, but he was not at Hastings, for William of Poitiers, a cotemporary historian, distinctly states that he remained in Normandy, as prime minister to the duchess, during the absence of William. Wace confounds the father with the son, Robert, Count of Meulan, who made his first essay in arms at Hastings, and was there most eminently distinguished.

Malet de Graville is next noticed. He was appointed by the Conqueror, in the third year of his reign, to the office of Sheriff of Yorkshire. His son Robert obtained from the same prince immense possessions, mostly situate in Suffolk, in which county he established a monastery of Benedictines, at Eye. The charter of its foundation sufficiently attests the riches of this establishment, till the disgrace of the chief, under Henry the First, who had raised him to the office of Grand Chamberlain of the Empire.—See *Monasticon Anglicanum*, vol. i. p. 356.

Hugh de Montfort was born at Montfort-sur-Rille, near Brionne. He received one hundred lordships from the royal munificence in different counties. When William quitted England, in 1067, Hugh de Montfort was one of the Norman barons to whom he confided the administration of affairs.

Robert of Vieux-Pont was distinguished at the battle of Hastings. In 1073, he was eminent among the Norman warriors sent to the aid of

Jean de la Flèche. He remained as commanding officer in Maine ; and, according to the testimony of Ordericus Vitalis, he was one of the first victims of the insurrection of 1085. But this fact is contradicted by a charter of Henry the First, in favour of Saint Pierre-sur-Dive, in which religious house this Vieux-Pont is said to have assumed the frock. His descendants had large possessions in England. Robert de Vipont was one of the favourites of John Lackland, and is frequently mentioned in the reign of that prince and of his successor.

Among those who took part in this expedition, Wace mentions Néel de Saint Sauveur, but we may doubt his having been present, as no other writer mentions his name. In the list given in the Brompton Chronicle, we find the name of Sauzaver, but that is not a corruption of Saint-Sauveur, but of Saunzavier, Sans-avoir, a family which established itself in England at the conquest.

Henry, lord of Saint Hilaire de Ferrières, near to Bernay, and son of Vauquelin de Ferrières, whom we noticed disturbing the minority of William, was conspicuous at the battle of Hastings. This illustrious family became extinct in Normandy during the seventeenth century ; but it still exists in England in the earldom of Ferrers. Henry de Ferrières received from the Conqueror the castle of Tutbury, and several lordships. His descendants were Earls of Derby and Nottingham.

Roger of Roumare, an estate near to Rouën, is next mentioned. He married Lucia, sister and heiress of the English Earl Morcar. He was distinguished during the reign of the two Williams, and his son William was created Earl of Lincoln, by King Stephen.

Hugh De La Mare was the ancestor of the family of that name, which was formerly very numerous in England and Normandy, and which still exists in Guernsey. The founder of this line had the fief De La Mare, situate in the commune* of Autretot, near Yvetot.

Robert Belfou, or Beaufou, was descended on the female side from Raoul, Count of Ivry, uterine brother of duke Richard the First. The principal residence attached to this illustrious and ancient barony, was in the neighbourhood of Pont l'Evêque. This Robert, who displayed great valour at the battle of Hastings, died at the abbey of Bec, as did his two sons. His descendants founded the abbey of Belle-Etoile, and held an eminent rank in Normandy, England, and Ireland, in all which countries they had vast establishments in the twelfth century. The barony of Beaufou passed into the possession of the Tilly family, in the fourteenth century, and from them into that of the Harcourt's, to whom it now belongs.

Wace next mentions the Lord of Tancarville, the hereditary chamberlain of the Duke of Normandy. But he is the only author who says that this baron was present at Hastings. He was too old to have taken a share in the expedition, and there is great reason to believe that he remained, as one of the counsellors of the duchess, in Normandy.

The Lord of Estoteville was Robert, surnamed Grand-Bois. There are two places of this name in Normandy, but this baron came from Etouteville, in Caux, near to Yvetot. This family had large possessions in England. They had the barony of Cottingham, and the estate of Skipwith, in Yorkshire, and from them Sir Gray Skipwith claims his descent.

Geoffrey, lord of Magneville, near Valognes, frequently spelt Mandeville, and Manneville, was, after the conquest, appointed Constable of the Tower of London, and created Earl of Essex.

* A "commune" in France is a district presided over by a mayor.

William Crespin, the first of that name, was Lord of Bec-Crespin, in the *arrondissement* of Havre. His family descended from Gislebert, Chatelain of Tillières. William Crespin, the second of that name, was distinguished for his bitter hatred against Henry the First, whose life he put in imminent peril at the battle of Bremulle, not Brenneville, as it is commonly written. It appears from Domesday Book, that Milan Crespin held in England eighty-eight manors, and was created Earl of Wallingford, in Berkshire. He died without issue in the reign of Henry the First.

Walter of Saint Martin was brother of William Martel. There are so many districts of this name, that it is difficult to fix the exact locality in this instance. The best opinion, however, seems to be that it was either in the *pays* de Caux, or the *pays* de Bray. The Martels are numerous in the Channel Islands, though the ennobled family is extinct in England. They founded the old abbey of Pont-Robert, in Sussex, in 1176.

William, lord of Moulins-la-Marche, in the *arrondissement* of Mortagne, was not only present at Hastings, but, in 1073, was appointed one of the generals of the Norman troops, sent to the succour of John de la Flèche. He died, at an advanced age, in 1099. There was formerly an ennobled family of his name in England, but they were originally from Limousin, not from Normandy. The Moullins are numerous in Guernsey.

The lords of Dupin were vassals to the Counts of Meullan. Fulk Dupin was cotemporary with the Conqueror. Ordericus Vitalis cites the name of Morin Dupin, as being eminent in 1080, under Robert and Henry the First. The branch of this family, which obtained estates in England, came from Du-Pin-au-Haras, in the *arrondissement* of Argentan.

Hugh de Grentemesnil, now written Grandmesnil, belonged to the *arrondissement* of Lisieux. He had been banished in 1063, but, being afterwards pardoned, he fought at Hastings, and narrowly escaped with his life. He received from the royal munificence the title of Viscount or Sheriff of Leicestershire, the government of Hampshire, and upwards of one hundred lordships. He was moreover associated with Bishop Odo and William Fitz-Osborn in the administration of judicial affairs. He died towards the close of the eleventh century, and was buried at Saint-Evrault, which abbey he had restored and largely endowed.

Humphrey, lord of Bohon, took his name from that place, situate two leagues to the south of Carentan. The remains of the moat of the old castle are still visible. In this family the hereditary constablership of England long remained, and from it were sprung the first Earls of Hereford, Essex, and Northampton.

Carteret is included in the *arrondissement* of Valogne. This family has been long extinct in Normandy, but it remains in Jersey, Guernsey, and England. The Thynne family, who enjoy the Marquisate of Bath and the Barony of Carteret, descend in the female line from Humphrey de Carteret.

William de Varenne, or Warrenne, the first of that name, related to Duke William on the side of his mother who was niece to the Duchess Gonnor, took his name from the fief of Varenne, in the district of Saint-Aubin-le-Cauf. He received from the Conqueror, two hundred and ninety eight manors, and, in 1073, he was adjoined to Richard de Bienfaite, as grand-justiciary of England. Created Earl of Surrey by William Rufus, in 1089, he died shortly afterwards, and was buried in the abbey of Lewes, in Sussex, which he had founded. His descendants, Earls of Warenne and Surrey, held the very highest rank in England and

Normandy. In the latter they possessed, among other domains, the splendid castle and estate of Beliencombres.

Hugh de Gournay, the first of that name, is also called Hugh the Old, (Hugo Senex) in a charter of Henry the First. He was one of the chiefs of the ducal army at the battle of Mortemer, in 1054. Becoming disgusted with the world, he retired to the abbey of Bec, in which he finished his days. He had received ample possessions in England from William. King John, at the period of the separation of England from Normandy, gave to the descendants of this Hugh de Gournay the barony of Wherewelton, in Yorkshire, and the office of Sheriff of Buckinghamshire and Bedfordshire, as an indemnification for the loss of their Norman patrimony.

Hugh D'Avranches, surnamed the Wolf, obtained, as the reward of his services, the county of Chester, in 1070, on condition to hold it *à libere ad gladium sicut ipse rex tenebat Angliam per coronam*. After a life almost entirely spent in military pursuits, he died in August, 1101, in the abbey of Chester, which he had restored, and where, in his declining years, he had taken the frock. He also founded, in 1085, the abbey of Saint Sever, in Normandy.

According to the English genealogists, William D'Aubigny, cup-bearer to the Duke of Normandy, and brother to the famous Neel D'Aubigny, passed over to England at the conquest, and exercised his office at the coronation of William, from whom he received the barony of Bokenham, to which the title of cup-bearer remained attached. By his marriage with Avitia, he became brother-in-law to Roger de Montbray. But Wace is wrong in saying that he held the office of cup-bearer (*pincerna regis*); it was his eldest son, William, ancestor of the Earls of Arundel and Sussex. We need not here record the circumstances which transferred into the hands of Neel D'Aubigny the immense possessions of his cousin Robert de Montbray, and empowered his descendants to assume the style and rank of Barons Mowbray. Several of the most illustrious English families, and, among others, the Dukes of Norfolk, and Lord Arundel of Wardour, pride themselves on their descent from the seigneurs D'Aubigny. The district from which they took their name is situate in the arrondissement of Coutances, near to Periers.

Walter de Lacy received from the Conqueror the castle of Pontefract, in Yorkshire, and one hundred and sixty three lordships, the major part of which were in that county. Roger, son of Walter, also held one hundred and twenty lordships from the royal munificence; but he lost them, and was banished, in 1093, for having attached himself to the party of Robert de Montbray. In 1102, he was at the head of the army of Robert-Courte-Heuse, Duke of Normandy. The name of Lacy is derived from Lassy, on the road from Vire to Aulnay.

Turgis de Tracy, who signalized his valour at Hastings, commanded the Norman troops, in 1073, in Maine. A natural son of Henry the First bore the name of William de Tracy, probably because he was born in the castle of that name, situated near to Vire. Henry de Tracy, contemporary with King Stephen, was distinguished for his unshaken attachment to that prince, from whom he received the barony of Barnstaple, in Devonshire.

Hubert de Port received the barony of Basingstoke, in Hampshire, and fifty four lordships in that county. He took the frock at Winchester, in the reign of William Rufus. His son, Henry, founded the priory of Sher-

borne, which was a dependency on the abbey of Cerisy, in Normandy. The name of this family is from Port in Bessin, near to Bayeux.

Robert de Courcy, father of Richard who fought at Hastings, was one of the six sons of Baudry the German, and grand-nephew of Gislebert, Count of Brionne. Richard de Courcy received from the Conqueror the barony of Stoke, in the county of Somerset, and other lordships in Oxfordshire. His family held a distinguished rank in England and Normandy for several centuries. It has been perpetuated in Ireland to modern times from John de Courcy, who, under Henry the Second, was among the foremost of its conquerors. Lord Kinsale, the premier baron of Ireland, descends in the male line from this John, and consequently through him from the Courcys of Normandy. The family name is taken from Courcy, in the arrondissement of Falaise.

Baldwin de Meules, or de Brionne, otherwise called Baldwin of Exeter, and sometimes "the Viscount," was on his paternal side great grandson of Richard the First, and consequently cousin germaine to the Conqueror, and he had the same relationship through his wife. He had passed his youth at the court of the Earl of Flanders, and contributed greatly to the marriage of William with the daughter of that earl. The duke gave him Meules and Le Sap, in compensation for his father's property, which was alienated during his minority. In 1067, he was charged with the erection and the defence of the castle of Exeter, where he chiefly resided. He received from the Conqueror the title of Viscount of Devonshire, with one hundred and sixty-nine manors in that county. He died in 1090.

William de Moyon, with several manors, obtained Dunster Castle, in Somersetshire, which became the principal abode of his successors. His grandson, William, was created Earl of Dorset by the Empress Matilda, on account of the services he rendered her in the war with King Stephen. The Barons Mohun of Okehampton were descended from him, and this branch was not extinguished before the commencement of the eighteenth century. Moyon is three leagues to the south of Saint-Lo.

Raoul de Gael, described by Wace as Lord of Gael and Montfort, in Brittany, is the same person who is called by the English and Norman chroniclers, Raoul de Guader. This baron, after having received from the Conqueror the county of Norfolk, displeased at his refusing his assent to his marriage with the daughter of William Fitz-Osborn, took advantage of the absence of the sovereign to solemnize his nuptials, and then conspired against him with his brother-in-law, Roger Fitz-Osborn. Besieged in Norwich, he evaded the anger of William by flight, and sought shelter in his patrimonial estates of Gael and Montfort, which he only quitted to take a share in the first crusade.

Paisnel, anglicé Pagnel, lord of Moutiers Hubert, founded the celebrated abbey of Hambie. The more ancient chroniclers have spoken but little of his family. Ordericus Vitalis merely mentions William Paisnel, as the first of that name, among the distinguished barons who died about the same time as the Conqueror. He probably fought at Hastings, and certainly was the father of Raoul Paisnel, sheriff of Yorkshire. When Domesday Book was compiled, he possessed forty-five manors. In the reign of William Rufus, he founded the priory of the Holy Trinity at York. His descendants possessed the castle of Dudley, and founded the priory of that name, as well as the priory of Tikford. The English branch of this family became extinct in the commencement of the fourteenth century, and the Norman line failed about a century later.

Robert Bertrand, called *Le Tort*, lord of Briquebec, founded, before the conquest, the priory of Beaumont en Auge, and gave large donations, *imminente morte*, to the abbey of St. Stephen, of Caen. Although this baron lived at the date of the conquest, he is not the person usually designated as having taken a part in it, but William Bertrand, who probably was his brother, and like him, a grandson of Turstin de Bastenbourg, the common stock of the families of Briquebec and De Montfort. William Bertrand alone figures in Domesday Book. He founded the priory of Brickburn, in Northumberland, and was the head of the Bertrands, Barons of Bothall, which line became extinct at the close of the fourteenth century.

Wace next mentions a lord of Saint-Sever, as present at Hastings, but he alone gives this title to a baronial family. Saint-Sever always belonged to the Viscounts D'Avranches. The Seigneur de Cailly was Osborn, son of Roger, who, in 1080, largely endowed the abbey of Saint-Ouen. This family formed establishments in England. Thomas de Cailly was summoned to parliament in the reign of Edward the Second; but he died without issue, and his estates passed into the hands of the Cliftons. In Domesday Book, Cailly is written Cailgi, and he is there declared to be the proprietor of several manors in Berkshire.

Martel of Bacqueville was one of the six sons of Baudry-le-Teuton, by a niece of the Duchess Gonnor. In 1143, William Martel, cup-bearer to King Stephen, was made prisoner by the Earl of Gloucester, at Wilton, and compelled to surrender the castle of Sherborne, for his ransom. Bacqueville is in the *arrondissement* of Dieppe.

The Praels, or Preaulx, were a younger branch of the Lords of Cailly, from whom they were separated about the period when Wace wrote. They held a distinguished rank in the fourteenth and fifteenth centuries, being allied to the royal families both of France and England. But they certainly were not at the battle of Hastings, as Wace says, for they did not become a distinct family till a much later period. Preaux is in the *arrondissement* of Rouen. The Guernsey family of Priaulx is probably descended from this stock, and as some of them may wish to know additional particulars of their old namesakes, they are referred to page 889, vol. 2, of the *Monasticon Anglicanum*, where there is an account of an embassy to Edward the Confessor, by the then possessors of the castle and estate of Preaux. In 1070, it belonged to Odo, called the Dapifer, the son of Hubert of Rye; not Rye in Sussex, but in Normandy, three leagues to the north-east of Bayeux.

Here we must pause in our enumeration of the Norman barons who fought at Hastings, the entire list being much too long to be brought within the compass of a single article. *(To be continued.)*

THE HERMIT'S PAPERS.—No. 6.

A DREAM OF LOW WATER.

COCK-SHOOT WOOD; THREE-FOURTHS AWAKE.

Là s'ode un pescator, che risarcendo,
O la rete, O la nassa,
La pescatrice sua cantando chiama....

ONGARO.

THE Venerable Bede, who lived at a time when miracles excited less surprise than they do now in this incredulous matter-of-fact age of ours, informs us that the Muses only communed with his friend Cedmon, the Anglo-Saxon poet, in dreams

and visions of the night.—‘*Cædmonus Simplex*,’ thus writes the voracious father of England’s ecclesiastical annals, ‘*Monachus Anglo-Saxo, scripturam universam per rhythmos patrio sermone edidit; et, dormiens, divina edebat carmina, quæ vigilantes quidam ex ejus ore scriptitabant.*’

We too, gentle reader, occasionally fall asleep in a lady’s memory arms. And, cradled thus, nay pillowed on the snowy bosom of our Mnemosynê, how we do dream and sing among the jays, the ring-doves and the wood-peckers, under the wide spreading foliage of a misseletoed hawthorn in our neighbour Fitz-Harding’s luxuriant hereditary bowers; or, at the foot of Cotswold, fanned to rest by the soft sighings of good old Matthew Halse’s miniature,* Avon’s willow-roses! Dr. Willis (*de animâ Brutorum*) candidly tells us how surprised he was at the Newtonian facility with which he solved the most intricate problems in a *dark* room; that something of this kind does happen, when sleep divides, as it were, the inner from the outer man, it is, we apprehend no heresy to surmise; for, according to a phraseology acquired in the temples of the east, our favourite Philo—a genuine poet in prose—declares that ‘the sun-rise of divinity’ is ushered in by an interval of *darkness* and death, ‘the sun-set of humanity.’—Be this as it may; in this most ‘interesting’ of positions, we dreamed a dream, so like reality, that it is impossible to forget it. Indeed, if it were not of supernatural origin, a circumstance which accompanied the first symptoms of our somnolency might almost account for subsequent manifestations; which it is now our solemn duty to record.

There sat upon the linden-tree
A bird, and sang its strain;
So sweet it sang, that, as I heard,
My heart went back again.

It went to one remembered spot,
It saw the rose-trees grow,
And thought again, *THE VERY THOUGHT*
There cherished long ago!†

And, judge of our delight, as we floated on Lethe’s elysian billows, to listen once more to voices long since mute—to find ourselves again amid the rocks, ‘that clasp in their embraces all we loved;’ realizing Pindar’s vision of that undiscovered island of the blest, which Rabelais sets down in his *new* map as ‘not very far from Sam-Malo.’‡

. . . . ενθα μακαρων
Νασον ωκεανιδες
Αυραι περιπνεουσιν
Υδωρ δ’ αλλα φερξει.

Or, as that queer knave Tassoni sings :

‘L’ondeggjar de la placida marina
Baciando va l’ingargentate sponde:
Ardon d’amore i pesci, e la vicina
Spiaggia languisce inviando a l’onde.’

Here we, at once, lost all recollection of the spot where sleep last chained our senses; and a fair form—now numbered for ever with things that were—was listening, with her usual condescension and enthusiasm, to the following physiological and picturesque details—sketches of real life, on the prolific margin of that *other* world of wonders, in ‘a dream of low water.’ Coleridge thought that ‘the noblest kind of imaginative power in our soul was that of living in the past:’ let not the free-spoken Hermit’s *retrospective* allusions to a Beatrice loveller than Dante’s, who reminds him still of her whom that great poet Hervas, while meditating ‘in rupibus, loco abrupto, et invio ab aquis,’ fancied he saw beckoning him to the skies,|| disconcert the timid or alarm the superficial moralist! Sound at the core though we be, the fetters of ‘present times and fashions’ are too pretty for our wearing.

* From the Celtic *AV-ON*, the diminutive of *AV*, an obsolete term for water; a brook so called near Alderley.

† Ic sach da rosbuomen stan,
Die manent mich der gedanken vil
Die ich hin zeiner frouwen han.

‡ A song in the Monesse MS., by ‘Her Dietmar Von Ast;’ composed at the beginning of the thirteenth century.

§ It is now seven and twenty years since we last stealthily peeped into that wonderful book; but our hatred for man’s two parts—prejudice and bigotry—needs no spur at this last hour of life’s day.

|| Biblioth. Patrum. t. v. col. 1.

L'amour passe le temps, ma chère Eléonore,
Malgré mes cheveux * gris, je suis ton troubadour;
Jusqu'au dernier soupir notre cœur bat encore—
Pourquoi dirait-il donc, 'le temps passe l'amour?'
Après tant de revers, l'amitié, moins frivole,
Moins volage, en sera plus belle désormais:
Pour bénir les mortels que le malheur isole,
Elle allume un flambeau qui ne s'éteint jamais.

C'est ici le local où, seule avec ta mère, [miens]
Tes yeux, noirs et parlans, rencontrèrent les
C'est ici le rivage où la mer en colère
Étalait sous nos pieds tant d'agréables riens:
Ah, quel air j'y respire! Onde voluptueuse,
Les reflets du plaisir embellissent tes flots,
L'amour prête aux rochers sa voix mélodieuse,
Et le ciel enchanté répète leurs échos!

Le sanseonnet fidèle, appelant son amante,
Nourrit, comme autrefois, leurs fortunés enfans,
Sur un roc escarpé, dont la vague écumante,
Refluant à regret, bat les humides flancs:
Elle obéit; il part: la couche nuptiale
Exige tous leurs soins; elle est leur seul trésor:
Nous écoutons, un jour, leur hymne matinale—
Ici rien n'a changé—nous l'entendons encor!

Là, sous un vieux tombeau de grossière structure,
Repose, m'a-t-on dit, le prêtre des Gaulois:
Là, devant l'aurore, enfans de la nature,
Heureux, mais innocens, nous errons autrefois:
Dans les sentiers fleuris de nos belles prairies,
Sous le gazon d'olympie et les pâles oeillets,†
Glanons le souvenir des seules rêveries [haits]
Qui, toujours sans remords, comblent tous nos vœux.

Approche, Eléonore! Une masse immobile
Au fond de cette mare arrête nos regards:
Soudain elle s'élançe; un monstrueux reptile
Présage mille morts... on fuit de toutes parts:
Il rougit, il pâlit, dans sa fureur active,
Enfin de ses huit bras les replis tortueux,
Ecrase, en bondissant, la chevette lascive—
La mer suffit à peine à ses beuvins affreux.

Laissons le traître en paix dévorer sa pâture,
Et régalaons nos yeux de miracles nouveaux.
Arbrisseaux animés, forcé en miniature,
Un peuple solitaire habite ces tuyaux:
Tel autrefois l'on vit dans sa retraite aride
Un essaim vigoureux de moines exilés,
Arrose de leur sueur l'immense Thébàide,
Et cultiver la foi dans leurs trous isolés.

Que vois-je? L'embryon du serpent de Norvège
Réparait tout-à-coup, se déroule et s'étend;
Malgré moi, je repousse un doute sacrilège
À l'aspect imprévu de ce Léviathan:
L'étonnant animal se dilate; il s'allonge;
Et le voilà formé par un subit essor!
Le krakan n'est donc plus un sublime mensonge,
Le rêve extravagant des poètes du nord!

Sous les rayons chéris du père de l'aurore
Là rampe lentement, deux-à-deux, trois-à-trois,
Le ver de Tithrambo; l'arène se colore;
Elle éclipe l'éclat de la pourpre des rois:
Dans un port fortuné, bravant enfin l'orage,
Sur un autel fumant les joyeux matelots,
Attendant les zéphyrs, échappés au naufrage,
Immoient ces limas à la reine des eaux.

Ici roule par sauts l'élégante coquille
Où loge St. Bernard, hermite sans souci;
Voyageur casanier, il rode; et son asile,
Un charmant pot-à-lait, se promène avec lui:
Le bon religieux vit là-dedans sans gêne,
Également chez lui sur la terre et sur l'eau,
Laisse voguer le monde, et, nouveau Diogène,
Croît trouver le bonheur au fond de son tonneau.

Salut, vaste Océan! Réservoir trop fertile
Où l'Être sans égal épanche ses trésors!
Là, du sage attentif l'œil en vain se dessille,
L'esprit de Réanmur s'épuise en vains efforts!
Éblouissante ailleurs, la nature féconde
Ici révèle mieux l'Auteur de l'univers—[monde];
Il prend deux gouttes d'eau: de l'une il fait un
De l'autre il arrondit la perle au fond des mers.

Now that, 'vigilans' ex ore meo 'carmina scriptitavi' quæ, soprore beatus, quasi Cedmonus alter, composueram, perhaps a few plain notes in English prose might prove acceptable. The 'masse immobile' in our fifth stanza, is a polypus; a lineal descendant of the mouster, who whilom had the honour of choking that old dog Diogenes, according to St. Justin's disciple, the Christian orator Tatian. This Guernsey PIERRE, or PEIRVE, (old French PIERRE,) a *glutton*, from the Bas-Breton PEVRI, to *feed*, is at home, slumbering on a couch of *pelize*, or *zostera marina*, in its favourite 'herbaries' or pastures, every sunny day, from Midsummer to Michaelmas. It was the appropriate symbol of the Flemish PIERRES and Syrian Nicolaim, cators or gluttons. It will devour—to settle a childish controversy about the staring eyes of some fair reptile of the lake—a world much too small for two such Alexanders—a polypus as large as itself; and there is still room for another rival or two in the capacious treasury of its stomach.

As to those industrious friars (St. 6), black and gray, for whom the deep water fishers of Albek and Thor-Ketil, (*Dud-Ael*, or *God's Kettle*), have too little consideration, we have often admired their architectural skill as well as the innocent tenour of their life and conversation. Still, the Bretons, the La Rue's, and the Le Tissier's, will allow these tranquil cenobites small chance of spreading their 'laurels,' or devout colonies, over the moist sand where they toil and pray without ceasing. The said 'piscatores insularum'—against whose insolencies we soon intend to petition Queen Victoria in council—are ever uprooting the silent mansions of a tree-dwelling race, who might have defied the spade of these destroyers, had they but laid the foundation of their sylvan cells a yard or two below low-water mark. For 'the floods come, and the winds blow, and beat upon their house, and it does not fall.'

* 'Morpheus, thou art a sad chronologist!'
Deh! chi mi scuserà, quando palese
Sarà che il giovinetto vecchiarallo
Arda vie pur che mal in amore!

† *Static reticulata* et *Ameria*.—Linn.

Perhaps some gentle reader may think us very bold for venturing a hint (St. 7) that we have seen a *krakan*, or something very like it. But any assiduous votary of the receding waves may hope to be as fortunate as ourselves. He may surprise, au moment où il se développe, and suddenly leaps into form, attaining the leviathan length of *sixty-feet, or more*, a tube, couleur de puce, of the diameter of a goose-quill, and in its initial status, three or four yards long. It reminds one, at first sight (forgive too homely a comparison) of a bundle of chitterlings.* Olaus Magnus, Archbishop of Upsal, probably meant no other, when he magniloquently gave the measure of his Krakan as 'ducentorum pedum, et amplius, longitudine; qui in rupibus et cavernis penes oras maris Bergensium versari fabulatur.' Hist. Suec. xxi. 43.

St. 8. alludes to the sea-slug and its voluminous bag of purple lymph or gall, 'aspectu nigricans,* suspectu refulgens.' Some species of the Tethys are poisonous; others were regularly sold for food at Billingsgate, some sixty years ago.—The *Lepus Marinum* was sacrificed to Hecate—whom Egyptian mariners called *Tithrambo*, the *angry one*; the same whom they still remember in these islands under the orthodox Gallican title of *RUERO* or *HERO-DIAS*, the *bitter Goddess*.

P.S.—By the last mail from Cuxhaven we received the following piece of local intelligence; we have struggled in vain to comprehend the moral of our German correspondent's 'Enigma or Fable.'

THE TORY KNIGHT'S FIRST NIGHT: or SCRATCH FOR SCRATCH.

'Il caresse en grondant son amante en furie.'—S. LAMBERT.

Her whiskered Lord has crossed the seas,
And MANOVER is ill at ease;
For, ah, me! 'tis cruel sport—
La pauvre est presque morte,
From a bite on her fair nape,
From the tusks of that old ape!
And why? Surely, 'twas not right,
Since—though Tom be such a fright—
His dear tabby, mild and meek,
Softly purring, gave her cheek.—
Is this law? the charmer cried,
Pampered Irish Tory's pride!
Law, replied he, d—n the laws!—
I must chain thy pretty paws:
Here are trinkets for thy neck,
Armlets too, thy leaps to check.
Armlets, good orang-outang!
Said the bride, and up she sprang,
Mewing till the welkin rang:
Paws off, most unroyal patch!
Then she gave him scratch for scratch,
Till Whelp's hallowed crimson tide
Each long snowy whisker dyed,
And, with visage scarred and scored,
The pale Nero raved and roared.

HISTORICAL NOTICES OF THE CHANNEL ISLANDS.—No. 12.

(Continued from page 39.)

HAVING already narrated the capitulation of Castle Cornet, by which the whole bailiwick of Guernsey was reduced under the power of the parliamentarians, we shall now briefly detail the circumstances by which Jersey also was wrested from the royalists. In writing this article, we have derived much valuable information from the notes appended to the new edition of Falle's History, by the Rev. Edward Durell, who has done excellent service to our local literature by his historical researches and the accumulation of very many interesting facts.

* Si ce mot semble trop grossier, substituez-en un qui choquera moins les oreilles délicates. Dans notre Gloucestershire tout le monde s'en sert.

* Vid. Plin. Hist. Nat. and Animadv, in loc. cl. Harduini.

The battle of Worcester was fought on the 3rd of September, 1661. It extinguished the last hopes of the royalists, and rendered the usurpation of Cromwell an easy task. Sir George De Carteret, who had been appointed governor of Jersey, in 1643, not only maintained the people of that island in allegiance to the Stuarts, but supplied Castle Cornet with provisions, while he attacked the marine of the parliamentarians with his armed vessels. After the execution of Charles the First, this distinguished gentleman continued firm in the discharge of his trust, and chiefly through his exertions, Charles the Second was proclaimed successor to his father by the States of that island. The following is a copy of the proclamation, which, to give additional solemnity to the act, was signed by all the members of that assembly, and not, as is usually the case, by the greffier, or clerk, of the States.

"Whereas, the rebels have by a horrible crime laid their violent hands on the person of his Majesty king Charles the First, of glorious memory, by whose death the sovereign crowns of the kingdoms of England, Scotland, France, and Ireland, fully and lawfully belong by the right of succession to his highness the most high and puissant Prince Charles: We, the lieutenant-governor and bailly, and jurats of the island of Jersey, attended by the crown officers and the principal inhabitants of the said isle, all with one heart and voice, do hereby declare and proclaim, that his highness the most high and puissant Prince Charles is now, by the death of our aforesaid sovereign of glorious memory, become, by right of legitimate succession and hereditary descent, the only true and lawful sovereign lord, Charles the Second, by the grace of God, king of England, Scotland, France, and Ireland, defender of the faith, &c., to whom we acknowledge to owe all obedience, allegiance, honour, and service, and we pray our God, through whom kings reign, that he may vouchsafe to establish and confirm king Charles on his throne in the enjoyment of all his just rights, and that he may long and happily reign over us. And so be it. God save king Charles the Second. Dated, 1649. 27th of February.

(Signed) Sir George De Carteret, Baronet, Lieutenant-Governor and Bailly.

Sir Philip De Carteret, Knight, Seigneur of St. Ouen.

Amice De Carteret, Esquire, Seigneur of Trinity.

Hellier De Carteret.
Joshua De Carteret.
Elias Dumaresq.
Philip Le Geyt.
John Pipon.

} Jurats.

Peter Fautrart.
Joshua Pallot.
Hellier De Carteret, Attorney-General.
John L. Hardy, Solicitor-General.
Lawrence Hamptonne, Sheriff.

} Ministers.

Philip Dumaresq.
Edward Romeril.
John Scale.
James Guillaume.
Nicolas Richardson.

Nicolas Journeaux.
Isaac Herault.
John Le Couteur.
Abraham Bigg.

} Constables.

This proclamation breathed hostility and defiance against Cromwell, who made ample preparations to subjugate the high spirit of these loyal islanders. A naval armament of eighty sail was placed under the command of the celebrated Admiral Blake, and a formidable body of troops embarked on board this fleet under the orders of Major General Haines. They arrived in sight of the island on the 20th of October, 1651, and cast anchor in St. Ouen's bay. It is remarked by Falle, as something miraculous, that a profound calm lasted during the whole time that the ships were round the island, though, during half the year, the sea rolls so heavily into the bay, that no ship can ride there within any safety. On the night of the 22nd of October, a landing was effected, and though vigorously resisted, yet the numbers of the invading party overpowered the islanders, and General Haines, on the following day, was in possession of the open country, though the forts and castles refused to obey his summons of surrender. Resistance, however, was short. The first example of submission was given by St. Aubin's fort. This was followed by that of Mont Orgueil Castle, on the 27th of October. The terms were honourable to the besieged.

But Elizabeth Castle, in which Sir George De Carteret commanded in person, was defended with a more resolute determination. The garrison consisted of three hundred and forty men, and was supplied with provisions

for eight months. During the siege, Sir George received intelligence that his Majesty had safely arrived in France, on which he dispatched Mr. Poingdestre to congratulate him on his escape, and also to ascertain if he could prevail on the French Government to send any succours for the relief of Jersey. King Charles returned an answer by his chaplain, Mr. Durell, a native of Jersey, and afterwards dean of Windsor. It was to the following effect. That all his solicitations at that court were fruitless; that Cardinal Mazarin, who directed the councils of France, dared not incur the resentment of the protector; and, under these circumstances, he desired Sir George to act according to his own discretion, advising him rather to accept honourable terms of capitulation than obstinately to protract a defence which, in the end, must prove unavailing.

Whitlocke declares that Cromwell was very apprehensive lest Charles, urged by his necessities, should have pledged Jersey to France for advances of money, or even sold it outright. Rumours to that effect had reached Westminster, but the king, with a wisdom and patriotism, that he never exhibited on any other occasion, refused to listen to any such overture. Lord Clarendon, in his history of the rebellion, says on this subject; "the king was so strict and punctual in his care of the interest of England, when he seemed to be abandoned by it, that he chose rather to suffer those places of great importance to fall into Cromwell's power, than to deposit them, upon any conditions, into French hands; which, he knew, would never restore them to the just owner, what obligation soever they entered into." Charles knew well that France could never wrest Jersey from the skilful and fortunate protector, and, looking forward to his restoration, he wisely left it in his temporary keeping.

Sir George De Carteret concealed the message of his Majesty from his followers, having a laudable desire to be the last royalist officer who submitted to Cromwell. General Haines, not being able to bring his artillery nearer to Elizabeth Castle than a distance of three quarters of a mile, could not produce any efficient damage to the works, so that the siege might have been protracted till the garrison were starved out by famine; but at length some shells, thrown from a mortar, broke through two vaults, and exploded the powder magazine, killing forty of the soldiers, besides armourers and carpenters. Mr. Falle says that this shell was *thirty* inches in diameter, but it was, says Mr. Durell, a thirteen inch shell, and about two inches thick, a fragment of which is still preserved in the armoury of the castle. The siege of Elizabeth Castle, according to a tradition mentioned by Mr. Durell, lasted six weeks and two days, nor can it have lasted much longer, as the enemy landed on the 22nd of October, 1651, and took possession of that fortress on the 15th of December following. It was agreed that the castle should be given up on the 15th of December, so that the siege lasted seven weeks. The following are the terms of the capitulation, which were highly favourable to the besieged, and the acceptance of them by Cromwell shows that he considered the Jerseymen a most formidable enemy, for we cannot attribute his lenity to favour or affection to his most implacable foes:

1.—That Sir George de Carteret shall receive a full indemnity for all he has done during the troubles up to this day; that he shall peaceably enjoy all his goods, chattels, houses, leases, and grants, lawfully to him belonging at the coming of the parliamentary forces in this island; that he shall be at liberty to dispose of the said property according to his will, without compounding for it, and to live or die, in the countries subject to the parliament, without being obliged to take an oath or covenant, provided always that he may undertake nothing against the parliament; that the said Sir George De Carteret shall be allowed to go to and from France without any hindrance; that he shall have and hold for ever the lordship of Meleches, and that in virtue of a grant made thereof, in the eighteenth year of the reign of the late king, to reward him for his good services against the Turks, and without compositions, other lands, rents and revenues belonging to the said king, from which he is released and excepted by this, and all the succeeding articles, and that one of the vessels now moored near

the said castle, shall be with all its appertenances, at his disposal for his own passage.

2.—That all persons, who are within the said castle, shall retain all their possessions situated within the parliamentary quarters, such as they are at present. That they will be indemnified for all they have done during the present war, up to this day; that a term of nine months shall be granted them to settle for their composition, which is not to exceed two years of their income according to the rate established by parliament for that purpose, and is to be raised in this island, by those whom parliament may appoint for the islanders, and in England, for Englishmen and others; that no oath shall be tendered to them; that they will undertake nothing against the parliament under pain of the confiscation of their property, and for those who have none, under the penalty of a reasonable sum, of which they shall give security, in case they should remain any longer in the States of the Parliament. That no civil actions for debts or other matters shall be brought against them before the nine months, provided by this article, be expired, and that it will be left to the parliament's good pleasure, to allow the Seigneur of St. Ouen to compound for the isle of Sark.

3.—That no rent hitherto paid by virtue of the patent then in force, shall be sued for, or demanded, and that nobody shall be molested for having either paid or received any.

4.—That all persons, who may wish to live abroad, shall enjoy their property, as if they were present on the spot; that they will be allowed to sell it to the best advantage they can, and that they will have passports given to them, when they may require them, to remove themselves, their money, or other goods, where they may think proper, after having paid the aforesaid composition.

5.—That Mrs. Le Montais and Mrs. Seale, and their children, will have passports to go to and fro, and shall possess the whole of their estates without any composition.

6.—That John Le Brun, belonging to Sir George De Carteret's establishment, shall enjoy without composition his property, which amounts but to eight Jacobuses of yearly rent.

7.—That if Sir George De Carteret, or any of those who are now with him, should be desirous of going to Virginia, or to any other American settlement, they will have passports to go there, without being molested in their persons, vessels, servants, or goods, and will be allowed to remain there peaceably, provided they do not undertake any thing against the parliament of England.

8.—That Sir George De Carteret, with all his military and naval officers, either in active service or invalids, together with the private soldiers and gentlemen leaving the above said castle, shall march out with their horses and arms of all sorts to some convenient place within the island, colours flying, drums beating, and with all the honours of war, and shall there surrender them to those whom Colonel Haynes shall authorise for that purpose, with the exception of swords for the privates, and of horses, swords, cuirasses, and pistols for the officers, and that in general all the above mentioned shall keep their accoutrements of all sorts, with their papers and account books, and without being either plundered, or searched for what they may carry with them.

9.—That the sick and wounded who may be left in the castle at the time of its surrender, shall be particularly taken care of, till the recovery of their health.

10.—That all the prisoners on both sides belonging to this island, shall be immediately set at liberty, and have the necessary passports granted them to go to their own homes.

11.—That all persons comprised in these articles, who may wish to go either to France or England, will have vessels supplied them for that purpose by Colonel Haynes, with provisions for their passage, the whole at the expence of the parliament.

12.—That if it should happen, that any officer or private comprised in these articles, should violate them in whole or in part, that then that violation shall not be imputed to his party, but only to the person who may have been guilty of it.

13.—That Colonel Haynes shall cause these articles to be ratified by the parliament as soon as possible.

14.—That Sir George De Carteret shall deliver or caused to be delivered to Colonel James Haynes for the parliament, the said Elizabeth Castle, with its guns, arms, ammunitions, and implements of war, together with the provisions, and other matters now being within the said place, as well as the register belong-

ing to the jurisdiction of the isle of Jersey, and the vessels and sloops in the harbour, with all the appurtenances, the whole in good condition, on Monday, the 15th of December, if the wind should be fair for St. Malo, save and except his furniture, money and plate, being his private property, of which an inventory shall be made. Every thing shall however remain in its present state, without any further communication on either side, without the consent of the parties.

VARIORUM ADDENDA TO THE HISTORICAL NOTICES.

No. 5.

Gift of the Small School.—Easter, 1513.—"To all who may see or read these letters. James Guille, bailiff of our sovereign lord the king, in the island of Guernsey. Be it known that, before us, in the parochial church of St. Peter-Port in the said island, on the day of the resurrection of our Redeemer Jesus Christ, in the year of grace 1513, in the presence of William Le Marchant, Jenequin Le Marchant, and Dominique Perrin, jurats of the royal court of his Majesty in this island :

"Personally appeared in the said church Thomas Le Marquant, and Janette Thelry, his wife, who, moved by devotion and pure charity, gave and made, to promote the glory of God and augment his service, for themselves and their heirs in perpetuity, before a full assembly of the parish, on Good Friday, otherwise called the day of the resurrection of our Saviour, a certain house and garden, being and lying within the said parish to the northward, or near the chapel St. Julian, between the houses of Thomas Guillemotte and Thomas Saraveget, therein to keep and hold a school for the time to come. And therewith have given as a free donation, for themselves and their heirs as aforesaid, to the master of the said school, the sum and number of two quarters of annual wheat rent for his maintenance, that he might teach each scholar every evening before going home an anthem of our lady the Virgin, the De profundis, and an Ave Maria, for the repose of the souls of the said Thomas Le Marquant and Janette his wife, as well as for those of their friends and benefactors, and generally for all those souls whom God wishes to be prayed for. And the said Thomas Le Marquant and Janette his wife promise and oblige themselves, and the same for their heirs, to guarantee the said gift both of the house and the garden, as well as the two quarters of wheat rent, and to hold the said house and garden free and discharged of any liability for rent, save and except *chef rente* to his Majesty, on the security of all the property they now hold, or may hereafter possess. In testimony of all which, the seal of the office of the bailiwick of this island has been affixed to these presents, in the year and day aforesaid."

Petite Coutume, 25th of May, 1562.—Queen Elizabeth.—"To all who may hear or see these presents. Francis Chamberlayne, Esq., captain and governor general of the castle and island of Guernsey; Thomas Carew, Esq., captain of the castle of Hurst, in the county of Hampshire; George Ackworth, Esq., doctor of the civil law and chancellor of Winchester; Thomas Compton, Esq., bailiff of the island of Guernsey; John After, dean of the same island, and Nicolas Carey, receiver of the revenues of our sovereign lady the queen, within the said island :

"Whereas it has pleased our sovereign lady Elizabeth, by the grace of God, queen of England, France, and Ireland, defender of the faith, by the advice, and on the deliberation of her noble council, to authorize and empower us, the above-named Francis, Thomas, George, Thomas, John, and Nicholas, or three of us, to act as her commissioners, by virtue of a commission sealed with the grand seal of England, bearing date the 25th of May, 1562, in the fifth year of her noble reign; and the said commission has given to us full power and authority to grant a license to the bailiff and jurats of the said island, at any time when war is apprehended, to receive and take certain dues on all foreign merchandize repairing to the said island; that is to say, a certain *petite coutume*, or toll for the benefit of her Majesty's well-beloved subjects living in the said island, according to the form specified in the said commission, the true and authentic copy of which is enrolled and registered in the rolls and records of the court of our sovereign lady the queen in the said island.

"Be it known then that we, the said commissioners, by virtue of the said commission, have given, and by these presents do give, for and in the name of our

sovereign lady the queen, her noble heirs and successors, to the bailiff and jurats of the said island and their successors, during the will and pleasure of her Majesty, full power and authority to levy on, and receive from, strangers on their merchandize unloaded in this island, in any time when war is suspected, a small custom or toll, to be laid out in the construction of a pier, in repairing the defences, and purchasing gunpowder and ammunition, and finally for the support and relief of her said subjects in the said island in reference to the taxes raised upon them for these objects. An account of the sums so levied is to be made annually, before the captain of her Majesty or his lieutenant, as well for the present time, as for the future, according to the tenour of the said commission. In testimony whereof we, the said commissioners, have signed these presents with our seals manual and with the official seal of the bailiwick of this island of Guernsey, conformably to the spirit and intent of the said commission, which is affixed and appended by Thomas Compton, bailiff, in the presence of Nicholas De La Court and Thomas Effart, jurats of the royal court, this 20th day of the month of August, in the year of Grace 1562, (Signed) Francis Chamberlayne, Thomas Carew, George Ackworth, John After, Thomas Compton, Nicholas Carey.

For which "Petite Coutume" or toll, the bailiff and jurats have ordered the following scale of taxation. 1st.—For each bale of white linen, eight deniers sterling. 2nd.—For each load of glazed canvass, and sacking, four deniers sterling. 3rd.—For each bale of linen from Normandy, two deniers sterling. 4th.—For each poldavy,* one obole. 5th.—For each tun of wine, four deniers sterling. 6th.—For each ton of iron, four deniers sterling. 7th.—For each hundred of green fish from Newfoundland, one denier sterling. 8th.—For each hundred of dried fish from Newfoundland, one obole sterling.

"*Elizabeth.*—11th March, 1563.—The following is a condensed summary of a royal commission touching the affairs of Guernsey, bearing the above date, arranged in brief paragraphs.

"1st.—This contains the preamble, setting forth the general object of the commission, and the authority of the commissioners.

"2nd.—Power is specially given by Elizabeth to Francis Chamberlayne, governor of Guernsey, Alderney, Serk, Herm, and Jethou, Hellier de Carteret, John Chamberlayne, lieutenant-governor, Thomas Compton, bailiff of Guernsey, John After, dean of the same, Nicholas Sollomond, jurat there, and Nicholas Carey, receiver of her Majesty's revenues, to grant, or let on lease, and in fee farm.

"3rd.—The commissioners are to make further enquiry concerning her Majesty's lands, tenements, rents, revenues, &c.

"4th.—Empowered to amend what they find wrong.

"5th.—Authorized to bargain, sell, grant, exchange, or otherwise dispose of, all lands, &c. belonging to her Majesty, for any reasonable fine or rent.

"6th.—The ancient possessions of her Majesty to be held in fee farm, on payment of an annual rent.

"7th.—Newly acquired lands, &c. to be held in fee simple.

"8th.—The said rents to be paid to the captain for his entertainment in Guernsey, except those rents reserved to the dean, preacher, schoolmaster, and usher.

"9th.—All bargains, sales, grants, &c. made by the commissioners to be as valid, as if passed under the great seal.

"10th.—Twenty quarters of wheat rent are to be allowed to the master of the school of St. Peter's Port. (*Petite Ecole.*)

"11th.—The same to the masters of the school of St. Peter's in the Wood and St. Martin, to be divided equally between them.

"12th.—The governor or lieutenant-governor at all courts, unto whom is given authority to advise in the name of her Majesty, having regard to the ancient customs of the isle, so that her ancient rights, and those newly accrued, be in no respect neglected or abused.

"13th.—The governor to require and command the bailiff and jurats with the prévôt, procureur, and contrôle, and all other officers, that they have regard that the ancient written political law and approved customs of the isle be not neglected to the prejudice of her Majesty's revenue, and the detriment of her subjects.

"14th.—All alienation of lands to be passed before the bailiff and jurats.

"15th.—Those who owe rent to her Majesty, and are in the island, and refuse payment, shall be imprisoned by the captain, at his discretion, and if they have lands, the debts or arrears shall be seized out the proceeds of such lands.

"16th.—Just records shall be kept of all sentences, ordinances, &c.

* We have vainly attempted to ascertain the meaning of the word "poldavy."—Ed.

"17th.—Authority given to try crimes, except those regarding the Queen's person, or the surety of the isle; the perpetrators of which are to be imprisoned till proper orders may be taken therein.

"18th.—All the local authorities ordered to assist the commissioners in their work—the commission to last two whole years; it shall not be deemed right by the advice of the Lords of the Council sooner to determine the same.

The above commission is signed with the great seal, at the castle of Hertford, the 11th of March, in the sixth year of the Queen's reign.

Elizabeth College.—27th September, 1568.—Summary of the Regulations.

"1st.—The school to be called the School of Queen Elizabeth.

"2nd.—The church and cemetery of the Cordeliers, with twenty-six perches of ground on the north side, and thirty perches on the south side, given for the building of the school.

"3d.—To the westward of the church, it is ordered that there be a playground for the pupils, and to the eastward, a garden for the master.

"4th.—A marble statue of the Queen, with the arms of England, to be placed over the gate.

"5th.—The free use of the public wells and pumps guaranteed to the school.

"6th.—Eighty quarters of wheat rent assigned to the master.

"7th.—Defines the duty of the master, and enumerates his qualifications.

"8th.—The school to open at seven in the morning during summer, and at eight in winter; to close at eleven.

"9th.—Afternoon school from one to five o'clock.

"10th.—If the master neglects his duties, after having been three times warned by the dean, or if he is guilty of crime or immorality, he is to be dismissed by the governor or his lieutenant, and another master appointed in his stead.

"11th.—Pupils inadmissible, unless they can read and repeat the catechism.

"12th.—When a pupil is presented for admission, the master is to exhort him and his parents to pray for Queen Elizabeth.

"13th.—The master, in presence of the parents of the pupil, is to exhort him to behave with propriety, under the pain of being flogged.

"14th.—If the scholar is incorrigible, the master, having called together his relations, is to bring him before the dean, who is ordered to reprimand him severely, and if, after having been thus three times reprimanded, he does not amend his conduct, then he is to be expelled from the school."

Summary of the Charter of James the First, 15th June, 1606.

"1.—The inhabitants are exempted from paying "*petite coutume*," and other small fiscal dues belonging to the crown.

"2.—They are to hold of the crown by the tenures of Queen Elizabeth.

"3.—Neither the raw nor manufactured produce of the islands shall pay any toll in England.

"4.—Sixty quarters of wheat rent are given to the rector of St. Peter-Port and his successors, to be paid out of the rents due to the king in the parish of St. Saviour.

"5.—The perception of the "*petite coutume*" granted to the bailiff and jurats for the repair of the harbour, and other public works.

"6.—The king's weight given to the bailiff and jurats and their successors, for their *private use*, on payment of twenty shillings sterling to his Majesty annually.

Petition to Parliament, 3d of July, 1607.—A petition was sent to parliament by the inhabitants of Jersey and Guernsey, praying to be continued in the enjoyment of their privileges within the town of Southampton.—An order in council dated 3d of July, 1607, restores to the inhabitants of Guernsey and Jersey their ancient privileges in the town of Southampton.

Exclusion of Foreign Retail Dealers from Guernsey.

At the Chief Pleas held on the 4th of May, 1661, the following letter from the Privy Council was read, with an order for its registration:

"After our hearty commendations, the petitions of divers merchants, shopkeepers, and inhabitants of the island of Guernsey, being read at this board, complaining that of late several strangers, (Roman Catholics and others,) out of the kingdom of France, have planted and seated themselves in the said island, and there inhabit, keep open shops, and publicly sell by retail most sorts of mer-

chandizes, wares, and vendible commodities; upon due consideration whereof, conceiving it very prejudicial to his Majesty's service, and tending to the disheartening and discouraging of his Majesty's subjects, the natives there, in the way of their trade, when strangers who bear no burthen in taxes, or like public payments, enjoy equal privileges with themselves; we have, therefore, thought fit, and accordingly do hereby will and require you to prohibit, forbid, and restrain all foreigners and strangers (as well French as others not being his Majesty's native subjects) by themselves, or by any other person or persons whatsoever, directly or indirectly, privately or publicly, to utter, or sell by retail, any goods, wares, or merchandizes, of what nature or quality whatsoever, within the said island, (but only by wholesale,) from a certain time to be limited, and under such penalty as you, with the advice of the bailliff and jurats and his Majesty's counsel, learned in the law of the said island, shall think fit; and therefore seasonably to give public notice to all such retailers that they may be left inexcusable if they shall not conform to this command, and that you give account to this board of your proceedings as occasion shall require, and so we very heartily bid you farewell from the court of Whitehall, this 29th day of February, 1660. (Signed) Edward Hyde, Albemarle, Dorchester, Northumberland, Lindsey, Valentia, Ormond."

OBSERVATIONS ON THE TOPOGRAPHY, CLIMATE, AND PREVALENT DISEASES OF THE ISLAND OF JERSEY.

By GEORGE S. HOOPER, M.D.

WE resume our notice of this useful work by directing the attention of our readers to the "state of St. Helier's in regard to drainage"—a subject of so much importance to the Jersey community, that we cannot too earnestly recommend an attentive perusal of Dr. Hooper's observations: nor can we too strenuously urge the adoption of the judicious suggestions he offers for the efficient removal of an insidious source of disease—the effluvia arising from the brooks which flow sluggishly near, and even underneath, many of the houses. These streams, if they deserve the name, are during the summer months partially dry, and have at all times too trifling a current to carry off a constant accumulation of decomposable matter, rich with the elements of deleterious exhalation. Notwithstanding, however, the "many and fertile sources of febrile miasma which exist in St. Helier's," it is remarked, that continued fever is not proportionally more frequent than in other parts of the island. It is fortunate that it is so—but are fevers, we would ask, the only disorders resulting from malaria? Our learned countryman, the late Dr. Mac Culloch, has answered the question fully, as follows:

"Malaria is the cause of fever, both ordinary and intermitting; it is the cause also of other disorders, scarcely less important in point of numbers and of mortal power. Such as dysentery and cholera; and yet all these united form but a portion of the enormous mass of disease, of suffering, and of mortality dependent on this single cause. To the same source is to be traced a large proportion of chronic disorders; of nervous and neuralgic affections, the most tormenting to which mankind is subject; and lastly, it is a frequent cause of that variety of obscure symptoms constituting what, in the ordinary language of society, is called ill-health." These evils are sufficient, without further addition—their being increased, nevertheless, is within the chapter of possibilities; for although the peculiar miasma capable of producing fever may hitherto have remained latent, it does not follow that it is not to become developed and spring into activity in some fearfully devastating form. Prevention is better than cure—prevention is attainable, and should not be postponed. Extensive disease often springs from apparently insufficient sources—danger does not alone reside in the vicinity of the Lincolnshire fens or the Pontine marshes—"A marsh, as far as its essence consists in producing malaria, is not to be defined by space—it does not demand extent—nor is it the only source of malaria—the source exists under numerous circumstances, not at all suspected in our own country, nay,

in thousands of places, even at our own doors. There can be no doubt that the minute marshy or swampy spots which occur occasionally in many low situations, whether in commons near woods, by roadsides, the margins of pools, rivulets, fish ponds, and other places where they scarcely attract notice, are similarly productive of malaria and disease, though their limited range of action generally renders their power in a manner insensible, *unless when houses happen to be erected in their vicinity.*"

We trust that the aptness of the above quotations, so corroborative of Dr. Hooper's views, and also the high character of Dr. Mac Culloch's work, which is standard authority on the subject of malaria, will hold us excused for the digression into which we have been led.

To return to St. Helier's—"One of the most rational objections," Dr. H. remarks, "that has been made against the locality of the town, is founded on the want of natural drainage"—the only channels originally existing being two or three shallow streams flowing from the neighbouring vallies through a long and tortuous course, with a fall of eight inches per thousand feet. Several sewers have lately been constructed, but "a complete system of drainage is still a desideratum. The foundation of improvement in that respect having however been laid, the time cannot be far distant when this important object shall have been fully attained—along with the evil will vanish all rational objections to the site of the town, for, if its advantages of situation be fairly considered, it must appear evident that no other spot in the island possesses equal claims to preference in the most essential particulars."

For the judicious sanitary hints on the uses and construction of a *cloaca magna*, we must refer to the book itself, and pass on to other subjects.

It being Dr. Hooper's object to restrict his inquiry to diseases arising from peculiarities of atmosphere, he alludes to other exciting causes no further than as they tend to modify the effect of climate—one of these causes, however, is too frequent in every clime to allow of a mere casual allusion. Unfortunately, the Channel Islands cannot claim exemption from offering a wide field for the study of diseases arising from the abuse of ardent spirits, as well in the confirmed drunkard, stricken down as he often is by delirium tremens, as in the habitual tippler, whose small but frequent potations render him a martyr to the miseries of dyspepsia and a thousand concomitant lingering disorders. Many, who would be astonished and indignant at the accusation of tippling, are daily undermining their constitutions by slight spirituous indulgencies, under various pretexts; and the discomforts thence arising are attributed to "biliousness," or any but the true cause. It is a dangerous fallacy to believe that brandy and water imparts strength or improves digestion—those who take it ostensibly on these pleas would be better in health and richer in means were they to subscribe heartily to the articles, and liberally to the funds, of Temperance Societies.

"A very fertile source of disease, in this otherwise happy spot, arises from an excessive use of ardent spirits, the low price of which is attended by the double evil of increasing temptation, and facilitating indulgence. Among the labouring classes, especially, this disgraceful and ruinous habit produces incalculable mischief. But this remark does not, I am sorry to say, apply to that portion of our little community only; and it is a melancholy truth, that superior education,—which ought to open the mind to a due sense of decorum, consequences, and moral obligations,—does not always effectually guard it against this debasing propensity. And even when this dangerous practice does not draw such persons into habitual drunkenness, it most commonly forms an error in diet, the effects of which are, sooner or later, displayed in a variety of consequent disorders.

On the subject of disease, "there is none," says our author, "which is peculiar to Jersey; consequently, my subject will here limit itself to two questions, namely,—what are the diseases, which, by reason of a relative frequency, seem to be favoured in their development by local influences, and what are the modifications in disease generally, which may be referred to a similar agency. With regard to the first of these problems, I believe the following rule obtains, with slight exceptions. 1. In *infancy* catarrhal affections; remittent fever,

often complicated by acute hydrocephalus. 2. In *childhood*, catarrhal affections; subacute inflammation of the bowels. 3. In *adolescence*, continued fever; pleurisy. 4. In the *adult age*, gastric affections; bronchitis; rheumatism; chronic bronchitis; chronic pleurisy, with effusion; dilatation of the right cavities of the heart, without hypertrophy; ascites. It may be proper to observe, that the place assigned to each disease, under the above heads, has not been determined by the positive number of cases, but rather by their relative frequency in this island, compared with other places. But it is hardly necessary to add, that, if so few forms of disease have been here brought under notice, it is because they are those which seem chiefly to be affected by locality, in their development, march, and termination; and, assuredly, not on account of a supposed immunity enjoyed by the island, from a multitude of others, equally important in themselves, though less directly connected with the history of this climate. On the contrary, there are few communities, of equal number, which offer so extensive a field of observation as our own, a great proportion of which consists of persons whose healths have been affected, more or less, by many and various causes of deterioration. Therefore, it is only a natural consequence of the mixed nature of the population, that the catalogue of its diseases should be marked by a more than ordinary degree of variety; in other words, that a vast number of imported cases should swell the general list of diseases in this island. The impossibility, therefore, of throwing light on its pathology by the aid of bills of mortality, and similar sources of statistical information, is sufficiently obvious. Indeed, such documents, were they procurable, would be of questionable value, on account of the endless qualifications and allowances, with which it would be requisite to accompany them, so as to render them, in a degree, deserving of confidence."

We regret that we cannot in these islands take advantage of the facilities afforded by a recent act of parliament for recording the causes of death, whereby an accurate statistical account of the prevalence of particular diseases will ultimately be obtained throughout other parts of the kingdom. The heads of colleges, co-operating with government, recommend the plan for the observance of members of the faculty and others; but as the act does not extend here, its collateral advantages cannot be enjoyed.

Among the diseases of childhood, Dr. H. considers eroup as of rare occurrence, although other acute inflammations of the air passages are frequent—a very sensible popular essay, if it may be so called, follows on the sympathy between the skin and the lining membrane of the air tubes. Our author's preventive and curative hints we extract for the edification of those interested and occupied in the care of children—they are of general utility:

"If it be true, as I believe, that the causes of catarrhal diseases in this island most commonly produce their effects, by acting first upon the external surface, it will follow, that precautions tending to guard the skin against such influences, form the best means of lessening the prevalence of those disorders.

"I have long since entertained a fixed opinion on the sort of apparel best suited to young children in this climate. As a general rule, no child should be without flannel next to the skin, during winter and spring; and at the close of the latter season, that portion of the dress should not be cast off without attention to the actual state of the weather. For this period of the year is extremely variable, one day wearing, as if by anticipation, the cheering attractions of a summer sky; whilst the next, cold, dark, and rainy, turns the disappointed mind back to the irksomeness of an inclement season. By reason of these variations, which, undoubtedly, take from the superior character of our climate, for mildness and stability, the fashion of low dresses, short sleeves, and bare legs, for children, is admissible on no sound principles in this island. On the contrary, it cannot fail to be a prolific source of danger and mortality, by exposing the robust to unnecessary trials, and the delicate to fatal diseases."

From this work, as well as from other sources, we learn that eruptive fevers, especially measles, are of a severe character. With us it is the reverse; we have to be thankful for comparative immunity from those scourges which press so heavily on young persons. In allusion to scarlet fever, Dr. H. is we think fully borne out in the assertion, that the simple rash roseola is often mistaken for scarlatina; hence, no doubt, the assertion frequently made of the recurrence of scarlet fever in the same individual. Even small pox, although it has spread extensively, has not been so fatal as

the extent and heterogeneous nature of the population would warrant us in supposing—it may here be remarked, that even although vaccine may not prevent the disease, it robs it of its principal danger, viz. the secondary or suppurative fever, that is, when the vaccine vesicle has been genuine and allowed to run through its course undisturbed. However simple the operation itself may be, the process ought not to be entrusted to the ignorant; its having been so in innumerable instances may be cited as one cause of the subsequent occurrence of small pox; in extenuation, nevertheless, of vaccine, it must be remembered, that the disease it is intended to supersede often occurs a second time, and that inoculation itself is no certain protection.

Among the diseases of adolescence, our author is inclined to consider continued fever as very prevalent.

“It especially affects youths and adults of the male sex. And, indeed, if we reflect on the laborious habits of our people, and their constant exposure to the vicissitudes of the atmosphere, it will not be difficult to perceive how they may predispose the labouring classes to the fever in question. A large portion of our mechanics,—and the country absolutely teems with them, even the agricultural classes furnishing a great number,—begin and terminate their hard day’s work by a walk of three or four miles to and fro; which, besides imposing extra fatigue, shortens the interval of well-earned repose.”

The following is an important practical remark worth extracting:

“A Jerseyman cannot bear much bleeding; nor do his diseases require that degree of depletion which is practised, with propriety, in climates not strikingly different from his own. This position may be laid down as an axiom of medical practice in this little island. A free use of the lancet, and other modes of depletion, ought to form the exceptions, not the rules, of medical treatment, in the commencement of continued inflammatory fever. The late Dr. Edwards, a shrewd and highly esteemed practitioner of this island, was so convinced of the mischievous effects of such practice, that he never lost an opportunity of making known his opinion to his brethren.”

Dr. H.’s observations on gastric affections, particularly “nervous dyspepsia,” are highly applicable to this place—it is the most prevailing disorder among our peasantry; females especially, in whom a variety of hysterical symptoms accompany it.

“The form of gastric affection which I intend noticing more particularly in this place, is that which authors have distinguished by the name of *Nervous Dyspepsia*. Its prevalence among a class of our inhabitants, which seldom exhibits it in other countries, is a fact so remarkable, that it would lead one to seek its explanation in special agencies of a local nature. Many of these, unquestionably, are identical with the effects of a mild humid climate; but they do not completely account for the superior liability to the disease, shewn by our agriculturists, and our rural population in general. This class of people carry their industry and spirit of economy to an excessive pitch; scarcely allowing themselves time for repose, and contenting themselves with a sort of fare, by no means proportioned to their bodily wants. There is, indeed, the more reason to look to the latter circumstance for what climate fails to explain, in regard to the disease in question, as an equal degree of prevalence does not belong to it, among the other classes of the community.”

Rheumatism, we are told, “is so general, that it might with some reason be viewed in the light of an endemical complaint.” In youth, it often breaks out in the acute form; the chronic, however, is the shape it generally assumes, and that often at a very early age. The observations on scrofula and consumption apply equally to this place.

“*Scrofula*.—It has been asserted, and very generally credited, that scrofula is more frequently the object of observation in this island, than in most places; but there appears no just grounds for such an opinion. On the contrary, were the population tried on this point by a scientific criterion, I believe the charge of a greater liability to that disorder would be easily refuted.

“*Consumption*.—After much reflection on the statistical history of this most fatal of all diseases, I feel no hesitation in asserting that, in this island, the num-

ber of deaths referrible to it, falls considerably below the general average. The degree of immunity which, I believe, cannot be fairly disputed to Jersey, is the more remarkable, as it exists in spite of a great prevalence of the most common of the exciting causes, pulmonary catarrh. This circumstance may, I think, be viewed as additional evidence of the necessity of predisposition; for in no other way could we reconcile the unfrequency of the one disease, with the prevalence of the other."

We now come to the concluding chapter, which treats of the remedial qualities of the climate—from this part we shall select a few passages:

"It might safely be inferred, that for all diseases whose cure may be facilitated by a mild climate, this island presents many advantages over almost any situation, with which it would be reasonable to compare it. It is only on comparative merits, as one of the English climates, that a claim to consideration can be founded in behalf of Jersey. Under the influence of its mild and soft qualities, chronic diseases, generally, proceed slowly; and, being less liable to exacerbations, from atmospheric variations, the chances of a favorable termination are proportionally increased, in cases whose nature does not preclude all hope of ultimate restoration to health. In another place, I have alluded to the advantages the island offers, as a sort of initiatory climate for individuals, who, from a protracted sojourn in tropical latitudes, have been rendered unable to resist the inclemencies of less favored situations. These are, undoubtedly, points of no mean importance, and as to which, (if I may trust to my own observation, during thirteen years of general practice,) a very high character may be conceded to Jersey, compared with the principal watering places in the south of England. I need scarcely pause to qualify this opinion, after the details already entered into, concerning the character of the climate in the different seasons of the year; for having, as I think, unsparingly pointed out its objectionable qualities, it cannot be supposed that I aim at placing it in a light more favorable than it deserves."

Dr. H. considers Jersey well suited to invalids labouring under "incipient pulmonary consumption and idiopathic hæmoptysis"—beneficial in pulmonary catarrh as well as in chronic bronchitis; he however recommends that in such cases patients should not remain beyond the time they feel they are deriving decided benefit, as the first good effects from change of air may become neutralized, and they may acquire the liability to these complaints which the islanders have. Gastric affections are also temporarily mitigated, although they are among those to which the climate seems favorable. It is unnecessary to enumerate all the diseases mentioned as likely to be benefitted by the climate of Jersey—it has become a place of great resort, and will be better appreciated, the more its numerous advantages are known. With respect to the work before us, the extracts we have selected afford sufficient comment; we have only to reiterate our expressions of regret, that a work of similar scientific research respecting our own island should still be a desideratum.

GUERNSEY LAW ON WILLS AND COLLATERAL SUCCESSIONS.

THE restraints on willing away real property by testamentary bequests, and the cruelty of the existing law in reference to collateral successions, have excited such general discontent among a great number of the inhabitants, that Advocate Jeremie has been instructed to prepare a petition, praying for their revision, which is now in course of being numerously and respectfully signed, and will be submitted to the consideration of the next Court of Chief Pleas.

The petition proposes that any person, who has no children, shall enjoy the right of bequeathing his real property by will, a privilege of which he is now debarred. And in reference to collateral successions, the petition prays that the children of brothers and sisters be declared heirs to their uncles and aunts, by allowing them to represent their deceased parents.

Such in substance are the reforms required, and their justice and reasonableness seem to be abundantly obvious. By the present system, widows and orphans are debarred of rights in consequence of the death of their husbands and parents, which rights the law would have preserved, had the husbands and parents lived; so that, in fact, instead of relieving the afflicted and shielding them from misfortune, the law steps in to aggravate their distress, by stripping those of property whom Providence has deprived of their natural protectors. Such is the nature of the injury inflicted on the children of a brother or sister, who are now legally disqualified from representing their deceased parent in successions to their uncles and aunts, always in regard to personal property, and in most cases, in regard to real property.

Another object of the petition is to place the female issue on a par with the male issue of equal degrees of consanguinity in *collateral* successions, which is not now the case. According to the present law, no sister, when a brother exists, can inherit either from a brother or a sister, which is a complete mockery of common sense and an insult to common justice. The hardship is peculiarly cruel, where it applies to personal property, for this monstrous law assumes that the affection, springing out of ties of blood, is less sincere or intense between a brother and a sister, or between two sisters, than that which obtains between two brothers. This system may be traced to the feudal law, which ever concentrated property in few hands, the more effectually to rule over the masses of mankind, and, in this spirit, it preferred the male to the female line. The "*veteris vestigia ruris*," the traces of barbarous feudalism are justly looked upon as the foulest stains on our system of jurisprudence. Guernsey is, in every sense, a commercial community, and therefore requires to be governed by rules and regulations the very reverse of those which obtained in the feudal age.

It cannot be doubted that the abrogation of the present laws of collateral succession, together with the repeal of that which prevents the testamentary bequest of real property, would be attended with public benefits to the community at large, so that the prayer of the petition is supported both by justice and policy. Could persons will away land or houses, especially those who have no children, they would invest their capital in the island, instead of placing it in the funds, thus giving employment to labour, and aiding the circulation of money. We could mention instances where parties have abstained from purchasing real property, solely because they could not dispose of it as they thought proper. We know others who have sold their estates, that they might dispose of the proceeds as they thought most advisable; and, strange though true, we could cite some cases where the proprietors have allowed buildings to remain out of repair, and even to become ruinously dilapidated, because they knew that, at their decease, they would fall into the hands of relatives who already possessed an ample fortune. Such are some of the minor evils of this vicious system of legislation, a system totally opposed to the wants, habits, and character of the people it governs.

There is scarcely any subject which more immediately calls for grave and diligent consideration, than the grievances contained in this petition, the outline of which we have here sketched. After it has been presented to the Court of Chief Pleas, we shall record it in our pages, as an interesting historical document. We have purposely abstained from arguing the question in its details, as that task will be more fitly performed by the competent authorities; but we have deemed it right briefly to present the substance of the petition to the public, as one of general importance, and deserving of general attention.

NOTES OF THE MONTH.

GUERNSEY.

Correspondence between Mr. Wallis and the Bailiff.

Trafalgar Place, 5th August, 1837.—Sir, I have the honour of submitting the enclosed "Prospectus," and crave, through the medium of your favour, and the consent of the Royal Court, permission to establish a "Club or Clubs" (in the spirit and meaning of the same), strictly obeying and in conformity with, the laws and ordinances in force on the island—provided that a sufficient number of gentlemen feel disposed to join an "institution," the main object and vital principle of which is—support of men and measures, who fearlessly and firmly uphold in its pure apostolical faith "the Established Church" and maintain inviolate in spirit (but stript of abuse) that "constitution" which, from its balance of power, is the true safeguard of ALL classes.

I have the honour to be, Sir,

Your faithful, obedient servant,

F. STEVENS WALLIS,
Honorary Secretary.

To D. De Lisle Brock, Esq.,
Bailiff, &c. &c. &c.

Court-House, Guernsey, 8th August, 1837. Sir,—I have received your letter of the 5th inst., enclosing a prospectus, and requesting the consent of the Court for the establishment of what you call a "Conservative Club." That consent is not necessary for any establishment conformable to the laws, and conducive to the peace and harmony of the community. The establishment which you propose may not be against law, but it would certainly operate against social peace and harmony. It ought to be our wish, it certainly is mine, to avoid every topic tending to disunion among ourselves, and above all, that intolerant spirit towards each other's opinions, which is too prevalent in all countries, and the fatal effects of which we witness to so great an extent in many parts of the Continent, and quite enough in Great Britain and Ireland.

You allude to, and we are proud of, the names of Lord De Saumarez, and Sir Isaac Brock. We are equally proud of the Le Marchants, Dobrées, Le Mesuriers, Careys, M'Crea, La Serre, Tupper, De Lancy, Alleza, and other brave men who have distinguished themselves in arms. We pride ourselves no less in the Saumarez, Jeremies, Dobrée, and others famed at the bar and the Universities: and above all in the M'Culloch, who in science, the arts, and general practical knowledge, stood paramount to all others, not only in his native isle, but perhaps in the whole world. He was by a cruel accident lost to the literary world, when in the full vigour and exercise of his great faculties. His posthumous work on the Attributes of the Almighty is indeed a noble subject for a club to lecture upon, for the improvement of the members, and the instruction of society; how superior to all the exclusive creeds and miserable doctrines which now divide and alienate from each other, men, clubs, and parties intended to live together in peace and love!

I have the honour to be, Sir,

Your very humble servant,

DANIEL DE LISLE BROCK,
Bailiff of Guernsey.

To F. S. Wallis, Esq.
&c. &c. &c.

Royal Court.—The following Petition was presented to the Court on Friday, July 28: To the Bailiff and Jurats of the Royal Court of the island of Guernsey.

The Petition of the undersigned inhabitants of the said island, sheweth,—

That your petitioners have learned with satisfaction, that the Parliament of the United King-

dom has recently passed various laws for the Registration of Births, Marriages, and Deaths, and for the solemnization of Marriages, the object of which is to relieve the consciences of Dissenters, and place her Majesty's subjects in England on a more just and equal footing as regards their civil and religious rights: which laws are now in full operation in England, under the sanction of her Majesty's Government.

Your petitioners, therefore, respectfully pray that the Royal Court will take the necessary steps for having these beneficial laws immediately extended to this island, with such modifications or improvements as, in the judgment of the Royal Court, the circumstances of the inhabitants render necessary.

DISSENTING MINISTERS.

W. C. Fish.
John Wright.
H. Major.
John Wesley Button.
Peter Mollet.
P. Tourgis.
Thomas Nant.
J. Hodgson, (Apostolic
Catholic Missionary.)

James S. Hine.
William Wild.
John Hudston.
William Laxon.
Robert Sanford.
Samuel Weston.
Matthew De Patron.
John Le Clerc.

OFFICE BEARERS IN DISSENTING CONGREGATIONS

John P. L. G. Valpy.
Thomas Martin.
George W. Hoyle.
Peter Knight.
Henry Gore.
John Mansell.
Thomas Duff.
John Mollet.

William Hancock.
Abraham Bishop.
John Robin, Jun.
Hizrel Dorey.
John Fleure.
William Brown.
Hugh Cleall.
Peter Mahy.

The Queen's Procureur, in presenting the petition, said, that upon one subject referred to in it, there was he believed scarcely a difference of opinion in the island, and that was on the necessity of a general Registration of Births, Deaths, and Marriages. Instances of inconvenience for want of such a register would occur to every member of the Court, and he mentioned several instances where individuals, or their descendants, had lost property in consequence of irregularity in their baptismal registers. The only difficulty that occurred to him was as to the mode of carrying the prayer of the petition into effect; whether by an Ordinance of the Court, or by a meeting of the States, and a recommendation to the Queen in Council. In a matter of such importance, he doubted whether the Court ought to take the responsibility on itself. One thing was certain, that some such measure as that proposed must come into operation sooner or later.

Mr. Bateman supported the petition, and in answer to various questions put by different members of the Court, stated the heads of the new laws and the mode of their operation in England. He had been informed that the only reason why the acts had not been extended to this island, was that part of the machinery by which they are worked in England is the New Poor Law, which does not extend here. But he suggested that the registration might, with some arrangement, be performed at the office of the Greffier. To show the necessity of having these laws immediately extended to Guernsey, he stated that some of the families in this island who, from conscientious motives, object to have their children baptized, have heretofore availed themselves of the General Registry kept at Dr. Williams's Library, Redcross-street, London; but that this Register is intended to be discontinued in consequence of the passing of the new Registration Laws. Such Dissenters will therefore be left entirely without a Registration for their children, and be in a worse state than they were before, unless the New Laws (which were

described as founded on the true principles of civil and religious liberty) be at once extended here. He read the following notice, which we transcribe for the information of those who are not likely to see the London newspapers, in which it is extensively advertised :

"At the half-yearly meeting of 'The Deputies from the several congregations of Protestant Dissenters of the three Denominations, Presbyterian, Independent, and Baptist, in and within twelve miles of London, appointed to protect their Civil Rights,' held at the King's Head Tavern, in the Poultry, London, on Wednesday, the 5th day of July, 1837; Henry Waymouth, Esq., in the chair ;

"It was resolved :

"1. That the public Registration of Births, Marriages, and Deaths, provided by the statute of the last session of Parliament, having now come into operation, and the defect being thereby fully remedied which occasioned the establishment of a Civil Register of Births for Protestant Dissenters, nearly a century ago, so far as relates to children, born after the 1st instant, it is not needful, with regard to such children, to continue the Register of Births at the Library, founded by Dr. Daniel Williams, in Redcross-street, Cripplegate.

"2. That, as the public system affords no opportunity of retrospective registration, and as a concurrent Register, open for the recording of Births, either anterior or posterior to the 1st day of July, 1837, might be attended with inconvenience, if not with danger, the Register continue open during the present month of July only, for the reception of such Certificates of Births, prior to the 1st day of this month, as may then be returned; and that from and after the last day of this month no Certificates shall be admitted, but the Register shall terminate, and be absolutely complete.

"HENRY WAYMOUTH, Chairman."

Mr. Richards (a member of the Society of Friends) stated, that the only legal registrations in England, previous to the passing of the New Law, besides that of the Church of England, were those of the Quakers and Jews, but that even these registrations were now intended to be merged in the general registration under the new acts,—and he thought this an additional reason why these acts should be extended to Guernsey.

The Bailiff suggested, that the proper course would be to appoint a committee of members of the Royal Court, to consider and report the best means of carrying the objects of the petitioners into effect.

Each of the Jurats agreed to this suggestion, and all of them expressed themselves in favour of the application. Mr. Guille said that it was very desirable that the Dissenters in this island should at once be placed on an equal footing with their brethren in England; and Mr. H. Dobrée said, that a little difficulty might at first arise upon the subject of solemnizing marriages, but he saw no reason why the same course could not be adopted here as in England, and he had no doubt that any difficulty that might arise would be amicably arranged by the committee.

A committee was then appointed, consisting of the Bailiff and Messrs. Carré and Le Retilly, Jurats.

General Militia Orders.—Head Quarters, 4th August.—The Lieutenant Governor has been pleased to make the following promotion :—

Royal Artillery Militia Regiment—Peter Collas, jun. gent., to be Second Lieutenant.

August 16.—It appearing from the returns which have been sent in, that there are a sufficient number of men under the age of forty, to complete the Militia Regiments as far as the clothing which has been issued by Government will permit, Major-General Sir James Douglas dispenses with the services of all men above that age (who may have been called upon to serve) until further orders.

August 31.—Some doubt having arisen with respect to the application of the General Militia Order of the 16th instant, Major General Sir James Douglas wishes it to be understood that it applies equally to the privates now serving, as well as to those who were about to serve.

The officers and non-commissioned officers must be well aware, that with so many recruits as the late order will bring into the ranks, their services cannot at present be dispensed with.

August 22.—The Lieutenant Governor has been pleased to make the following promotion.

1st or East Regiment Royal Light Infantry Militia, Gustavus Brehaut, Gent. to be Lieutenant; commission dated this day.

By order of his Ex. the Lieut. Governor,
(Signed) P BREDTHAFT, Dep. Insp.

JERSEY.

States Meeting, August 1.—Answers from Lord John Russell and Lord Howe to the addresses of congratulation and condolence were presented by the President. They were ordered to be registered on the public Rolls.—Several letters were read, from the Lieutenant-Governor to the Bailly, and from Colonel Oldfield to the Master of the Ordnance, all of which related to St. Aubin's tower. The question involved in this correspondence was to decide, whether a piece of ground adjacent to the tower belonged to the Crown or the States? if to the latter, then Government desired its surrender. The correspondence was referred to the Committee of Piers.—In the affair of Lotteries, the answer to Lord John Russell was read. His lordship had permitted the present Lottery to be continued till the close of the present year, but insisted on his prohibitory order, involving their abolition, to be immediately registered. The States had not complied with this command, pretending that it militated against their privileges: but they had written to say, that they would abolish Lotteries by their own act and authority, from and after the 31st of December next. Judge Philip Winter Nicolle complained that tickets in foreign Lotteries were sold in Jersey. This gave rise to a long discussion, when it was finally resolved that from and after the 1st of September next,

all persons should be prohibited from selling, or offering for sale, or buying, any ticket, or portion of a ticket, in any foreign Lottery, raffle, or game at hazard whatsoever, under a penalty of ten pounds sterling, and in default of payment, to be imprisoned for a term of not less than three months, nor exceeding one year.—A letter from Lord John Russell was read, refusing to grant a continuance of the Impôt for ten years, until the States fixed the amount, to be taken from the Impôt, and be applied to the construction and maintenance of a House of Correction. The answer of the committee to his lordship was then read, which, in substance, was as follows: that in the composition of the prison board, three members should be appointed by Government, and three by the States, and that the Bailly should be one of those chosen by the latter; that the States consent to pay £2,000 towards the building of the House of Correction, and £300 annually for the maintenance of that establishment and the prison, and further, to pay any excess which these two establishments might cost above £600 per annum, £300 being paid by the crown revenue. The Constable of St. Helier proposed that the answer of the committee be adopted. Judge P. W. Nicolle moved that it be rejected. The proposition of the Constable of St. Helier was adopted by a large majority.—The

Constable of St. Helier moved the re-enactment of a law, authorizing the lighting the town with gas, for three years, the expense to be defrayed from the revenue derived from publican's licences. It was opposed, but carried on a division, there being only two dissentient votes.—The petition of the Chamber of Commerce against the law of Distilleries was read, and excited some debate. On the question being put to the vote, the majority decided to lodge the petition at the Greffe, but refused to suspend the law.

Chamber of Commerce.—Owing to the severe illness of Mrs. Philip Falle, the Chamber held its meeting at the Military Arsenal, on Saturday morning, the 29th July. The President read a petition addressed to the States, which had been framed by the committee appointed for that purpose, at the last meeting of the Chamber, of which the following is a copy:

To his Excellency Major-General Archibald Campbell, Lieut.-Governor and Commander-in-Chief of the island of Jersey, to Sir John De Veuille, Bailiff, President, and to the other members of the States of the said island.

The petition of the Chamber of Commerce in the island of Jersey, humbly sheweth,—That the attention of the Chamber has been deeply excited by an Act of the States, of the 26th June last, for the better regulation of Distilleries.

That it is the opinion of the Chamber that this law is detrimental to the commercial interests of this island.

That the Chamber, while objecting to the said law, does not hesitate to admit the propriety of that portion of its preamble, which declares the insufficiency of the *Réglement* of the Impôt as regards the manufacture of spirits in this island, and also the expediency of some enactment on that subject; but, at the same time, your petitioners cannot perceive the necessity of a prohibition, which, in prevention of an alleged abuse, annihilates a privilege.

That it appears to the said Chamber, that by the first article of the said law, the privilege of re-manufacturing foreign spirits for the Colonial markets of Great Britain, hitherto enjoyed by this island, is needlessly abandoned; thereby diminishing the demand for labour at home, and for maritime employment in the foreign and coasting trade.

Your petitioners are also apprehensive that the effect of this prohibition will be the prevention of distillation altogether, and thus deprive the Jersey farmer of a certain market for many articles of the produce of his land, inasmuch as the supply of home produce fluctuates so much in the quantity and price, as to make the establishment of distilleries exclusively for the conversion of the said produce into spirits, a speculation too hazardous for prudent persons to embark in.

That by articles 3rd, 4th, and 8th of the said law, your petitioners see with surprise and alarm, an introduction of the excise system. Your petitioners, in common with the rest of their countrymen, have been accustomed to congratulate themselves upon their exemption from a system, which they cannot but regard as inquisitorial and injurious to the liberty of the subject; and they trust that whatever may be the apparent expediency of resorting to so universally unpopular a measure, these articles will be revised upon constitutional grounds.

That the articles 9th and 10th of the said law, appear to your petitioners to be vexatious and inconvenient in their application, and at the same time unlikely to effect the object intended—the prevention of fraud in the revenue of the island.

That in every other country, legislative enactments only take force at prospective periods, thereby giving time to parties interested, to con-

form to the change with as little loss as possible. The absence of a provision to this effect in the aforesaid law, is found to press so severely on several individuals, as to make its immediate suspension a matter of justice to the said parties.

Your petitioners, therefore, humbly pray that you will be pleased to take the said law into your most serious consideration, with a view to its revision upon principles more conformable to the ideas and necessities of a free and enlightened community.

Your petitioners further pray that in any future enactments on this subject, the distillation and rectification of spirits from materials of foreign growth and manufacture, be allowed as heretofore, under proper regulations.

And your petitioners, as in duty bound, will ever pray, &c. &c.

After a few observations, the Chamber resolved:

"That the petition now read be adopted; that it be translated into French, signed by the President in the name of the Chamber, and that P. W. Nicolle, Esq., Vice-President, be requested to present the same to the States at their next meeting.

Militia.—We have much pleasure in laying before our readers the following correspondence between his Excellency the Lieut.-Governor and Lord John Russell.

Government House, Jersey, August 1, 1837.

My Lord,

Having completed the annual inspection of the six batteries of Royal Jersey Militia, with their six regiments of Field Artillery, I have the pleasing duty of redeeming the promise made to the officers, non-commissioned officers and men who compose it, that I would make a special report to your Lordship for the information of her Gracious Majesty, of the state of discipline, and efficiency of this valuable force, who voluntarily enrol and perfect themselves in the use of arms, to enable them to aid her troops if necessary in the defence of this valuable appendage to the British Crown.

It is but justice to the colonels and the officers of those corps to state to your lordship, that although much occupied with their private affairs, they have devoted much time and attention to the instruction of the men, have evinced much zeal and intelligence, and fostered by their example and exertions the fine feeling and spirit in all ranks, that have produced the praiseworthy efficiency and discipline in the whole which I have the pleasing duty to report to you.

I have, &c.

(Signed) A. CAMPBELL.

Major-Gen. and Lieut. Gov.
The Right Hon. Lord John Russell.

Whitehall, Aug. 3, 1837.—Sir, I am directed by Lord John Russell to acknowledge the receipt of your letter of the 1st inst., containing your report of the annual inspection, recently completed, of the state of the six regiments of Royal Jersey Militia, with their six batteries of Field Artillery.

Lord John Russell desires me to assure you that he will have very great satisfaction in laying before the Queen the report you have made of the state of discipline and efficiency of these corps.

I have, &c.

(Signed) S. M. PHILLIPS.

Major General Campbell, &c. &c. Jersey.

Oyster Fishery.—At a meeting of Oyster dredgers, and other persons interested in that branch of trade, held on the 5th inst., a petition was unanimously adopted, and it was resolved that the same be presented to the States at their next sitting. The following is a summary of this document.

The petitioners begin by observing, that the oyster fishery had been in a most flourishing state until the year 1834, when the States passed

several restrictive laws, which instead of promoting the welfare of that productive branch of trade have been the means of nearly annihilating it. The law of 1834, for forming oyster beds in St. Catherine and Grouville bays, they pretend, is a complete failure; the two men appointed to act under the inspector, instead of attending to their work, employ their time in piloting vessels. The petitioners object to the committee of harbours having the management of the fishery, and suggest the propriety of naming a committee from among the parishioners of St. Martin's and Grouville, which committee would nevertheless be under the controul of the committee of harbours, to which they would send all their reports. Finally the petitioners humbly pray,

1.—That the States abolish the place of inspector of the fishery, which office has been created by them for the express purpose of forming, protecting, and inspecting the new oyster beds,—the said inspector not having been able to attain the object anticipated, and for which the said office had been created.

2.—That they will permit the dredging of the oyster beds, in Grouville and St. Martin's bays, by Jersey and English fishermen; the dredging to begin on the 1st of March in each year, and to end on the 31st May; and that no one be allowed to dredge, sell, or purchase oysters from those beds, that will be less than 2½ inches diameter.

3.—That they will nevertheless allow the fishermen to dredge on these oyster beds, from the 1st of September in each year, but solely for large oysters, and for the supply of the island. By these means, a treble advantage will be obtained: 1st, it will enable several fathers or families to gain a livelihood during the winter season: 2ndly, the market will be supplied at a reasonable price; 3rdly, the movement caused by dredging on the beds will be beneficial to the oysters.

4.—That boats be allowed to anchor every where as formerly.

The petitioners further pray to be heard before the States by counsel; in order to prove by witnesses the facts mentioned in this petition.

The petition was signed by 798 persons.

Newfoundland Fishery.—The following is the answer of Lord Palmerston to a memorial of the Jersey merchants concerned in the Newfoundland trade, relative to the increased duty levied in Spain on codfish imported in British ships:—

“Foreign Office, August 8, 1837.

“Gentlemen,—I am directed by Viscount Palmerston to acknowledge the receipt of your Memorial relative to the high discriminating duty which is levied in Spain on codfish imported in British ships, in which you suggest that measures of retaliation should be adopted on the part of her Majesty's Government, by imposing an equally high export duty at Newfoundland on fish exported in Spanish vessels.

“Viscount Palmerston having referred your Memorial to the Board of Trade, his lordship directs me to inform you, that her Majesty's Government entertain the hope that the Spanish Government may be long be induced to repeal the duty of which you complain; but they do not consider that they would be justified in

adopting the measure which you suggest, and which, in the opinion of her Majesty's Government, would have the effect of injuring the Newfoundland fishery itself, and would thereby injure, instead of serving, the carrying-trade.

“I am, Gentlemen,

“Your most obedient, humble servant,

(Signed) “W. FOX STRANOWAYS.

“Edward A. Renouf, Esq. and others.”

Oyster Fishery.—The experiment of forming new oyster beds in Grouville and St. Martin's bays, has been completely successful. The oysters dredged there on the 14th instant, by order of the committee, and in their presence, were of a fine quality, and in a thriving state. A number of these were brought to town, and exhibited at Mr. Constable Perrot's house in the Royal Square, during the past week. There were several groups of ten or twelve together, varying in size from one inch to three inches diameter,—many of which, on being opened, bore a very tempting appearance. A few only were still spawning; and these, by their sickness, exhibited a singular contrast to the fine healthy condition of the others. One was full of a white milky fluid,—a drop of which, on being placed under a powerful microscope by a friend of ours, was found to consist of an immense number of little white globules, which, at first sight, were supposed to be eggs, but, on a closer inspection, proved to be animalcules full of life, and moving about in every direction! This was evidently the first stage of the spawn, as no appearance of shell could be distinguished. Other oysters presented a still more extraordinary appearance: these did not contain any of the white fluid, but the oyster appeared embedded, as it were, in a thick bluish substance, like mud, and seemed not only dead, but in a state of decomposition. Some of the bluish substance, being taken up with the point of a pen-knife, was also placed under the magnifying power of the microscope, when hundreds of minute oysters, clothed with their little shells, were very plainly discerned,—they were perfectly transparent, and looked like so many pearls; as they showed no symptoms of life, they were thought to be dead, but on putting a drop of salt water over them, they presently opened, and, putting out a number of small fibres, swam about nimbly in the little deep! When we take into consideration the small quantity of the muddy substance which was thus clearly proved to consist of so many hundred living fish, and the large quantity remaining in the parent oyster, we should think there must have been millions of embryo oysters in the single shell in question!

The curious experiments thus briefly explained, afforded much pleasure to all who witnessed the interesting sight, and many persons availed themselves of the opportunity. It is not unworthy of remark, that both the white fluid and the muddy substance were found to be of a greater specific gravity than water. This fact therefore proves, that, when the spawn leaves the oyster, it does not float, as many had erroneously imagined, but, on the contrary, sinks to the bottom of the sea, where it attaches itself either to the shell of the parent oyster, or to the rock on which it falls.

OBITUARY.

Died, on the 15th August, on his passage from Rio de Janeiro to Falmouth, in H.M.'s packet Linnæ, **FREDERICK TUPPER**, Esq., aged thirty-three, seventh son of John E. Tupper, Esq., of Guernsey. When a child of only nine years of age, he was brought home insensible and speechless, and apparently on the point of death, having, in an attempt to reach the mast-head of a vessel in the pier of Guernsey, fallen about twenty-five feet head foremost on the edge of the quay, whence he rebounded off into the harbour at low water, a further distance of sixteen feet: his skull was frightfully fractured and indented, and his life despaired of for many months.

It is a most singular coincidence that his next preceding brother, Brock, the daily companion of his infancy and boyhood, died on the same day of the month, 15th August, 1833, also a passenger from Rio de Janeiro to Falmouth, in H. M.'s packet Rinaldo. The remains of both were committed to the deep, and they now sleep with their eldest brother, who perished at sea, in the vast sepulchre of the ocean.

SARNIAN MELODIES.—No. 13.

THE MAIDEN OF THE CASKET ROCKS.

"They'll tell one of those beautiful plains,
Where free and unguarded they roam,
Where the eye, unused to danger, disdains
To watch over footsteps no terror restrains,
Yet this desolate rock is my home.

"To my fishing my thoughts I compare,*
Bounding o'er the blue waters they go,
Awhile on the surge the frail vessel is borne,
Till the float, disengaged from its steerage, is torn,
Then my hopes, like the osier, are low."

—'Twas thus that the lonely maiden spoke,
As neared the boat from the distant land,
And the signal flag to the winds she shook,
'That told where the currents least fearfully broke,
On the Casket's dreary strand.†

Oh! it is when the all-gorging waves
Have swallowed the sun in their womb;
When loud the long howl of the wintry blast raves,
And ocean upheaved from its fathomless caves,
Seems to ope at each instant a tomb—

"When the billows like mountains are thrown,
And veil with their volume the skies,
Whose each shock descends, as 'twere able alone
The Caskets to rend from their basis of stone,
While the spray high over them flies.

"Then am I like the sea-bird, whose screams
Even overmaster the storm,
Right onward that drives where the light-tower gleams,
But dashed on the crystal recoils from its beams,
All shivered and lifeless a form,—

"Then with mankind my heart yearns to dwell,
And mingle their pleasures among;
While the lark's cheering notes from the greenwood swell,
And the rippling brook through the velvet clad dell
Bears its land-born tides along.

"Still, when the breath of the tempest's laid
And the strife of the winds is o'er,
I love this lone spot where an infant I staid,
Where flourishes Peace 'neath Religion's soft shade,
And think of the world no more.

"My parents are my all here below,
With their life my existence is twined;
The few else that may pass no kindness bestow,
They come, they depart, like yon dark current's flow—
E'en memory leaves them behind."

She never that maiden had viewed,
(Where on earth is pure bliss to be found,)†
That her's was content on her ocean rock rude,
Such as might for a time even sages have wooed,
A retreat from their being's sad sound.

And when she went, soon she returned;
And marvelled what world she had seen;
How man from his threshold his fellow man spurned,
How of brothers the hearts against each other burned,
Where love should alone have been.

Earth is, alas! but a close-fenced field,
Where of Discord the dire dart is hurled!
With one glance she fathomed the joys it could yield,
Yet marked she but few of the ills it concealed—
For Alderney was her world!!

* "One mode of fishing at this place deserves mentioning for its ingenuity: a lobster pot, properly loaded to ensure its sinking, was placed on a float, and to each was attached a cord held by the fisherman, who suffered this apparatus to be carried away by the current until in a proper situation, when, by twitching away the float, the pot sunk, and was pulled in after remaining a sufficient time."—*Jacob's Annals*, art. *Caskets*.

† There are two landing places for boats; one to the S. W. and one to the N. E. When boats approach the Caskets, signals are made to tell at which harbour they are to land;—a blue flag directs to the S. W. and a red one to the N. E. Should a boat attempt to land, contrary to this signal, it would be totally lost and all hands perish.—*Idem*.

‡ In 1815, the inhabitants consisted of a man, his wife, and a grown-up daughter. Their supplies of the necessities of life are furnished by the Trinity house: they occasionally receive fresh provisions and vegetables from Alderney. To these is added their own poultry, and the great abundance of fish which they catch on the rock in summer, which they either consume fresh, or cure for the winter's use. Their situation is, in that respect, most comfortable; and indeed, the air of content, the personal cleanliness and cheerfulness of these persons were remarkable. The daughter, who was just returned from a visit to her relations in Alderney, expressed herself quite disgusted with the world—Alderney was her world!!—*Idem*.

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OCTOBER, 1837.

ON DUELLING.

AMONG the Greeks and Romans, duelling was unknown; and it is deeply to be lamented that Christian communities should have invented a practice which the heathens disavowed. The Romans, indeed, placed duelling in the most contemptible light, by making it the business of slaves, for a school of Gladiators must have thrown the same stigma on private combat, as the intoxication of the Helots did upon the vice of drunkenness at Sparta. In the camp of Julius Cæsar, then besieged, two officers quarrelled. One had called the other a coward. "Let the army judge between us," said the affronted officer; and bidding his antagonist follow him, he leapt down from the rampart among a party of the enemy. The other followed, and they fought like lions. One being overpowered, the other ran to his assistance, and kept the enemy at bay, till they were both relieved. When they returned to the camp, they shook hands, and were ever afterwards good friends. Such was the mode of adjusting the point of honour among the Romans.

As duelling is not of classical origin, we may be permitted to trace the parentage from which it has sprung. When the trumpet of the holy wars sounded over Europe, and inspired its inhabitants from one end to the other with a frantic zeal for war, every thought, and every feeling, was of a military character. The air, the dress, the language, the amusements of men, were all martial. Then first the tournament came into use. It was intended as the great school for the Saracen expedition, in which the armies of Europe were to be trained and drilled. It became a legal institution, governed by a specific code. Certainly, it did not contemplate the adjustment of private quarrels, but it is quite true that duelling grew out of the system. It was not formally sanctioned, but it was winked at, for the honour of arms and chivalry, and it rose to such a height that, in the time of Richard Cœur-de-Lion, it was solemnly forbidden under severe penalties. But the habit had become so familiar, that it could not be repressed, and the inveteracy of the usage has descended to our times.

There are three rules of conduct, or standards of right, which determine the actions of men in our days; these are, the law of Scripture, the law of honour, and the law of the land. The second of these patronizes duelling; the first and last reject it, though for very different reasons. The law of honour subsists only among equals, and peculiarly obtains among the military and naval professions, though it is generally adopted by the whole of that class who are called gentlemen. It rests on what is termed the point of honour, which we shall now endeavour to dissect and analyze, wishing this article to be considered as a companion to the *Reflections on Suicide*, published in our last number.

The first observation to be made is, that the point of honour, as understood by the duellist, is unchristian, being in direct opposition to the express commands of Scripture. "Thou shalt not kill," is a mandate too clear and simple to be smoothed away by any equivocation, or glossed over by any sophistry. Among the precepts taught by our Saviour, is the following: "Let not the sun go down upon thine anger;" and this precept marks the line which separates momentary passion from revenge. But this has no hold of the duellist; he broods over his crime; consults a friend; causes letters to be written; calculates whether an apology is sufficiently explicit, or not; and goes forth to the contest with the mature and deliberate resolution to shed the blood of his fellow-creature. So far then as religion is concerned, duelling admits of no justification whatever, and he who raises a pistol against his antagonist has practically renounced Christianity.

Let us now examine some of the more popular defences which have been set up to support this system of fashionable and conventional murder. Divines have allowed defensive war to be lawful; hence it is inferred that a private aggression may be resented, and its repetition avoided by a private battle. Beneath this justification lurks a sophism. The soldier goes to war for his country; the duellist fights for self. The inducements and feelings of the former are public; those of the latter personal. The one acts on the broad basis of national good, while the other moves in the narrow orbit of some little malignant passion.

The point of honour in a gallant soldier will induce him to spare an enemy in his power. Not so the duellist. His heart is a dark and gloomy chamber, full of hate, malice, and revenge. Men of this character practise fencing and ball firing, thus training themselves to inflict certain death. In war, the soldier acts on Christian principles, on the principles of charity and forgiveness; indeed, it would be the height of dishonour to treat an opponent even ungenerously; but the duellist does not forgive; he seeks revenge; the passion works like poison through his veins,—corrodes every good sentiment,—turns it into black venom,—and extinguishes, at least towards his antagonist, every spark of benevolence.

A man receives an insult; for example, a blow; if he does not resent

it, he is branded with cowardice. He is dishonoured, and life becomes hateful. What is a man so circumstanced to do? The delicacy of such a position is brought as an argument in favour of duelling, and it is made to apply with peculiar force to the soldier. To this we answer, that religion places man in trying cases, as when he suffers martyrdom for the sake of conscience. Perhaps of all classes the soldier has the least right to complain of the hardship of his situation. Before he entered the service he was a Christian, and the assumption of the military profession does not release him from the claims of the Gospel. Before he voluntarily placed himself under the iron rules of the point of honour, he was under an obligation to obey the law of the Scriptures. But though the soldier desires to emancipate himself from the law of God, and exercise a freedom independent of, nay, opposed to that law, he is by the military code the veriest of slaves. If his commanding officer desires him to storm a battery, in which attempt death is almost certain, he rushes to the breach without the least hesitation; and this is a case of hardship against which, however, no murmur is uttered; yet the same person refuses to obey the orders of his Creator. The inconsequence of the reasoning is thus apparent, and the whole justification falls to the ground.

To send or accept a challenge, is considered a proof of courage, but with little show of reason. Probed to the bottom, either act is evidence of the rankest cowardice. The duellist stands in fear of the world, and that too of the irreligious portion of the world. The man of true bravery only dreads giving offence to God. When Mark Antony challenged Octavius to terminate their quarrel by single combat, the latter replied: "There are ways enough of dying without adopting the one you recommend;" but no one ever accused Augustus Cesar of cowardice, because he rejected the proposal of his competitor. When necessity calls on us to risk life, or when duty commands, he would be a poltroon who flinched from incurring the hazard; such has been the case with Christian martyrs. But the scorn, or threats, or contumely of the world, will never induce a truly religious man deliberately, and in cool blood, to venture his own existence, or attack that of his neighbour. Till he has the permission of his divine Master, he holds the idle and miscalled point of honour at defiance. Disguise the feeling as we may under the cloak of language, the fear of the world is the true source of duelling.

In addition to the sinfulness of duelling, it is a foolish, absurd, and unsatisfactory mode of deciding a dispute, avenging an injury, or vindicating honour. The innocent party runs the same hazard of death as his assailant, and it is this very parity of risk that renders single combat unworthy of being adopted by any man of sense. In many cases there is a manifest inequality, as where one of the duellists is an expert swordsman or a dead shot, while his opponent may never have handled either of these weapons.

A general officer, on receiving a challenge, went to the challenger, and told him he supposed they were to fight on equal terms; but as things now stand, said he, the terms are very unequal. I have a wife and five children, who have nothing to subsist on but my appointments; you have a considerable fortune, and no family; to place us, therefore, on an equality, I desire you will go with me to a conveyancer, and settle upon my wife and children, if I should fall, the value of my appointments. When you have signed such a conveyance, I will give you the satisfaction you seek. The cool and deliberate manner in which the general spoke, and the apparent justice of his requisition, made his antagonist reflect a little on the idea of leaving a wife and five children in beggary, and he abandoned the gratification of his blood-thirsty revenge.

It is related of an old captain in the navy, that, on being challenged, he told his antagonist that he had had fighting enough in his time, and was now quite weary of it. But said he, if you are determined, we must each take hold of the corner of a handkerchief, and so fire hand to hand. I cannot now fight in any other way, for I am old, and my hand shakes; and if I did not get close up to my adversary, I might miss him. This tremendous mode of duelling brought on a short conference, which ended in peace.

There is a somewhat similar story related of the brave Dutch admiral, Van Tromp. He was a large heavy man, and was challenged by a thin active French officer. "We are not upon equal terms with rapiers," said Van Tromp, "but call on me to-morrow morning, and we will adjust our difference." When the Frenchman arrived, he found the Dutch admiral bestriding a barrel of gunpowder; "there is room enough for you," said Van Tromp, "at the other end of the barrel; sit down; there is a match, and, as you were the challenger, give fire." The Frenchman was thunderstruck at this proposal, but, as the Dutchman was firm in refusing any other mode of duelling, an accommodation ensued.

These methods of evading the bullet were exceeded in ingenuity by the tact of a physician, who, for a most frivolous cause, was challenged by a fire-eating officer, an expert shot, and a notorious bully. When the combatants met, accompanied by their respective seconds, the officer offered the physician the choice of weapons, presenting pistols and swords for his acceptance. "Both these arms," said the physician, "belong to your profession; but neither belong to mine. As I am to select the instruments of warfare, I choose to draw them from my own science." So saying, he produced a small box, from which he took two pills, and placed them in his hat. "One of these," he continued, "is perfectly innocent, the other contains a deadly infusion. Swallow which you please, and I will swallow the other. Then do you retire to a room in the nearest inn, and I will closet myself in another, each attended by our seconds; if in twelve hours you are alive, you may be sure that I am dead." To

this novel and alarming mode of duel the officer objected, on which the physician declared him a poltroon, and wounded his feelings so acutely, that, after some further hesitation, he took up one of the pills, swallowed it, and retired to his apartment, the physician following his example. As the hours passed on the officer endured the most horrible torments, expecting every moment to feel the effect of the poison; but at length the twelve hours elapsed, and the danger was passed. He then requested his second to go to the apartment of his antagonist, and, if not too late, to administer the stomach pump, and disengage the poison from his stomach. To this his friend readily consented, but as he approached the room of the physician, his ears were assailed with loud shouts of laughter, which astonished him beyond measure. On knocking at the door for admittance, he was desired to walk in, and there, to his amazement, beheld the physician and his friend seated at table feasting off a sumptuous dinner. The physician rose, begged him to fetch his friend, and partake of the repast. This he did, when the humourist explained that both pills were made of pure wheaten bread. A loud laugh ensued: the evening passed off merrily, and the sons of Mars and Æsculapius became fast friends for the rest of their lives.

It has been attempted to justify duelling in cases where a challenge is either accepted or given to vindicate character. But this method is as silly as it is criminal. If the imputation be true, it cannot be disproved by killing him who insists on its truth; if it be false, why should I expose my life to the bullet of a slanderer or a liar? If an injured man can bring forward any evidence in his defence, the liberal part of the world will listen to reason and argument; but a pistol can hardly be deemed an arbitrator. In former days, in those days when the tournament was established, from which institution duelling sprung, the trial by ordeal formed part of the legal system. A person accused of a crime was allowed to attest his innocence by walking barefoot over hot ploughshares, he being at the time blindfolded; or he was thrown, with his hands and legs tied, into a deep pond or river, and if he did not sink to the bottom, he was purged of the accusation; if he was drowned, the fact was received as evidence of his guilt. All classes of society have outgrown this foolery, yet the higher ranks still adopt the stupid and barbarous custom of duelling as the test of character.

There is another light in which this practice may be exhibited. At present it is confined to a small section of the community, the section of those called gentlemen. But to show the value or worthlessness of a principle, we must view it in general action. Suppose then that the point of honour influenced all ranks. Would not the world present a daily scene of injury, retaliation, and injury again without end? Murder would be hourly perpetrated; widows and orphans would abound; hatred, revenge, and all the black passions would be fomented; the age

of barbarism would reign on earth ; and the male population be exterminated. A more horrible and dismal picture cannot pourtray itself to the imagination, than by contemplating the possibility of general duelling. But if the mild and peaceable doctrines of the Gospel prevailed, not indeed in reference to creeds and ceremonies and sectarian interpretations of disputed texts, but if they prevailed so as to regulate opinion and determine action, moral evil would be exterminated, and this life be a foretaste of the happiness of Paradise.

There is on record a case of duelling of so extraordinary a character, that we cannot omit narrating it, as showing the dreadful extremities to which men will go if they throw aside the restraints of religion. The reader will observe that in this instance the seconds risked their lives, as well as the principals. On the 3rd of April, 1808, M. de Grandpré and M. Le Pique having quarrelled about Mademoiselle Tirevit, a celebrated opera dancer, a challenge ensued. Being both men of elevated minds, they agreed to fight in balloons, and, in order to give time for the necessary preparation, it was determined that the duel should take place on that day month. Accordingly, on the 3rd of May, the parties met at a field adjoining the spot on which Tivoli gardens formerly stood, where their respective balloons were ready to receive them. Each, attended by a second, ascended his car, armed with a blunderbuss, as pistols could not be expected to prove efficient in their probable situations. A great multitude attended, hearing of the balloons, but little dreaming of their deadly purpose ; the Parisians merely looked for the novelty of a balloon race. At nine o'clock, the cords were cut, and the balloons ascended majestically amidst the shouts of the spectators. The wind was moderate, blowing from the N. N. W., and they kept, as far as could be judged, within about eighty yards of each other. When they had mounted to the height of about nine hundred yards, M. Le Pique fired his piece ineffectually ; almost immediately afterwards the fire was returned by M. de Grandpré, and penetrated his adversary's balloon ; the consequence of which was its rapid descent, and M. Le Pique and his second were both dashed to pieces on a housetop, on which the car fell. The conqueror, with his companion, descended safely about seven leagues from the spot of ascension.

We consider duelling to originate in an erroneous definition of the point of honour. True honour is that sentiment which deters from the commission of any base or unworthy object, and is referrible to the high principles of an elevated morality ; but false honour is neither more nor less than the fear of the world, and it is a degrading principle in all situations. The point of honour is deemed to be characteristic of the military and naval professions, and vitally essential to their efficient dignity and discipline. But surely this can only apply to the officers, for the rank and file know no more of it than they do of the precession of the equi-

noxes. Yet the masses of our troops never showed themselves deficient in military spirit, though necessarily drawn from the peasantry and the working classes.

In all the political articles published in this Magazine, we have laid it down as an established rule, that all laws and every system of government should fundamentally repose on the moral precepts of the Gospel, which, in whatever direction we look, will be found to harmonize with the wants and quadrate with the true interests of society. These form the only safe standard of right and wrong, and the great mass of evil that has afflicted mankind, and still militates against human happiness, will be found to originate in a neglect of, or a deviation from, their injunctions. The rule specially applies to the case of duelling. This crime now stalks abroad in open day, assumes an honourable name, is defended by the upper classes, and is even lauded by many as a virtue. The Christian vindicates a practice of which the Heathens were ashamed. He voluntarily places himself in a situation to commit either suicide or assassination, both of which are denounced as sinful in the eye of God. A life, on which his country or his family have claims, is hazarded by the duellist to obey the prejudices of fashionable society. As a father, he abandons his children; as a citizen, he abjures his country; as a Christian, he insults his Redeemer. In the vast majority of cases, he who gives a challenge is prompted by revenge; he who receives it, is influenced by a fear of the world; neither displays the true principle of courage. In every condition, duelling is opposed to justice, for the innocent or injured party runs the same chance of death as the aggressor. In whatever view, then, we consider this subject, it is hateful, absurd, inequitable, barbarous, and irreligious.

SONNETS.

WAR.

Thou fierce ally of death, twin-born with sin,
 Agent of hell, insatiate, ruthless war!
 Since chaos fled the eye of Heaven, thy car
 Hath scarce e'er ceased its horrid thundering din;
 Instructed by the fiend, thou e'er couldst win
 Thy victim, man, by pointing from afar
 To conquest, fame, and rapine, which might mar
 The hopes of millions; but, careering in
 Thy gory track, man heeds no human ties,—
 Robs rich and poor, dishonours, wastes with fire
 And sword; kills, reckless of their piercing cries,
 Mother and infant, youth and hoary sire!
 These are thy deeds, dire foe of man and peace,
 And never does thy thirst for gore decrease.

THE POET.

O thou who hoverest in the middle air,
 Mirror of nature, favorite of the nine,
 What a vast, all-comprising art is thine!

Thy glance skims o'er this globe—and all things there—
 Parched Afric's savage scenes, the wild beast's lair;
 The Orient's monarch, throned 'midst splendour's mine,
 Italia's citron groves; the grape-fringed Rhine;
 Love, Hope, Peace, War, Joy, Sorrow, and Despair—
 These all thy plastic touch depicts in strains
 Of living vigour!—Skyward turns thy gaze—
 Where, on his star-framed throne, the Eternal reigns,
 And Heaven to thee unveils its splendour's blaze!
 Thou art God's delegate, despatched to show
 In thy great self his mightiest work below.

PRIDE.

Fell agent of high Heaven's eternal foe,
 Cursed hell-born Pride thou germ of every ill!
 The breast that's chilled by thee can never glow
 With Charity, and pity ne'er can thrill
 The bosom which thy iron sceptre sways:—
 Thy ear is closed to Misery's plaintive sigh,
 Thy hand, ungrateful, ne'er to want repays
 A share of Heaven's kind gifts; at orphan's cry,
 Or widow's plaint, thy eye ne'er sheds a tear;
 But, ah! most baneful is thy influence when
 Thou steel'st man's heart against God, and turn'st his ear
 From holy truths.—Vain worm! knowest thou not then
 That He who gave thee life, can quickly doom
 His pride-swollen creature to the humbling tomb!

THE RESURRECTION.

The great Messiah's earthly work's achieved!
 The tyrant of the tomb, with looks aghast,
 Sees that his vanquisher, unharmed, has passed
 Beyond the grave's dread bounds.—'Midst those who grieved
 For him, who loved him, and in him believed,
 Christ sudden stands! Their wondering eyes are cast,
 In doubt at first, with faith and joy at last,
 Upon their world-redeeming God, relieved
 From death's brief grasp:—and hark! their ears are thrilled
 With choral symphonies that soft proceed
 From seraph-lips and harps divinely filled
 With Heaven's own melodies:—Emmanuel freed
 From death, Redemption finished, glad, they sing,
 And through all space their swelling praises ring.

J. D. PIERCEY.

GRIMALDI AND FAZIO ; A TALE OF PISA.

DURING the civil war of Genoa, an Italian, of the name of Grimaldi, fled to Pisa. Money was the only thing in the universe that could boast of his friendship or esteem. He maintained, that fortune ought to be pursued in any way, and that no means of acquiring it were disgraceful but such as did not succeed. We may readily suppose, that a man, holding such sentiments, had formed a settled plan to become rich. Accordingly, he began very early in life to labour at the edifice of his fortune, and even in his youth he acquired the appellation of a miser. With the tact of acquiring riches, he acquired the far more extraordinary art of retaining them. He lived quite alone. He had neither dog nor cat in his house, because he must have found them victuals. Neither did he keep a servant, to save the payment of wages. He was in continual fear of being robbed, and theft, in his estimation, was a crime of

blacker dye than parricide. He was the object of universal contempt ; but when he felt himself insulted or abused, he went straightway home, cast a delighted look at his strong box, and was comforted. The frugality of his meals, and the poverty of his dress, did not deceive the public as to the true state of his circumstances, an artifice frequently adopted by misers.

One evening after he had supped in company, (it may easily be supposed that such a character never supped at home,) he was returning to his house at a late hour, and unattended. Some one who had watched his steps fell upon him, intending to commit murder. Grimaldi felt himself stabbed, but he was still able to run from his aggressor. At the same time a violent storm arose. Faint with loss of blood, and trembling lest his assailant should repeat the blow, the miser rushed into the shop of a goldsmith, which by chance was still open. This goldsmith was in pursuit of wealth, as Grimaldi had been, but he had adopted a scheme less promising than usury. He was an alchymist in search of the philosopher's stone. On the evening of this event, he was about to make a grand experiment, and had left his shop open to moderate the heat of his furnaces.

The abrupt entrance of Grimaldi seemed somewhat rude. Fazio, for that was the goldsmith's name, immediately recognized the intruder, and asked him what he did in the street at such an unseasonable hour, and in such stormy weather ? Ah ! sighed Grimaldi, I am wounded ! As he pronounced these words, he sank into a chair, and expired.

We shall not attempt to describe the confusion of Fazio. He lifted Grimaldi from his seat, tore open his clothes that he might have free room to breathe, and used means to restore animation, but in vain ; the miser was dead. Fazio now examined the body, and perceived that Grimaldi had been stabbed in the breast ; the wound had closed of itself, so that the blood could not flow out, and he died by suffocation. At this juncture, Fazio found himself in the greatest distress. The whole neighbourhood was asleep, or had shut up their houses on account of the bad weather. He was quite alone in his house, as his wife and two children were gone to visit his dying father. Suddenly, a bold thought flashed across his brain, the execution of which, under these circumstances, seemed easily practicable. He was certain that no one had seen Grimaldi enter into his shop. In such continued rain and thunder there was no temptation for people to be standing at their windows. Besides, by announcing the death of Grimaldi, Fazio himself might have incurred the suspicion of being his murderer. After weighing maturely the whole of the affair, he shut up his shop, resolved to turn the adventure to his own advantage ; and consistently with his passion for transmutations, he determined to make an experiment whether he could not transmute misfortune into fortune, as he had been trying to convert his lead into silver.

Fazio knew of Grimaldi's wealth. He searched his pockets, and found, together with some coin, a large bunch of keys. " This," he exclaimed, " is a mark of the favour of Heaven ; the finger of Providence is manifest in the whole transaction. That such a terrible storm should come on this night ; that my shop alone should be open ; that Grimaldi should be wounded, and die in my chair ; all this could not have happened without a particular dispensation from above. He has no relation ; certainly, no friend. One stranger is as good as another stranger, and Fazio as good as another heir. I have even one right more. Had it not been for me,

he would have died in the street ; who knows whether he did not come into my shop to constitute me his heir ? His visit supplies the place of a formal testament. I will quietly take the executorship upon myself ; that will be the wisest and the safest way. Were I to relate the whole transaction to the magistrates, not one would believe my story. The body of Grimaldi is in my house, and every man would pronounce me his murderer ; it would be impossible for me to prove my innocence. But if I bury him privately, he will not be injured, and I shall be safe. Between the scaffold and full coffers, it would be folly to hesitate. I have discovered the object of my long and anxious search ; I have found the philosopher's stone, without the help of crucible or furnace."

Armed with a dark lanthorn, he proceeded to the miser's house. The rain fell in torrents, the thunder pealed, but he heeded not the storm. His mind was full of Grimaldi's treasure. He tried his keys, unlocked his doors, opened the sitting room ; it was small, but well secured. It had incomparably more locks than doors. We may easily imagine the first object of his search. Against the iron chest he directed the whole battery of this bunch of keys, yet he almost despaired of success, as the exterior was guarded by five locks, while the interior was still more strongly fortified. At length, however, his perseverance was rewarded. He found a casket full of gold rings, bracelets, jewels, and other valuables, and with them four bags, on each of which he read with transport, "Three thousand ducats in gold." He trusted implicitly to the superscription, taking it for granted that the sum was rightly told.

Quivering with joy, he seized upon the bags, and left the jewels behind, fearing that they might betray him. Being a great friend to order, he carefully replaced every article in its former state, again fastened every lock, and happily returned to his house without being met or seen by any one. His first care was to put his four bags in a place of security ; his second, to take measures for the interment of the deceased. He lifted him as easily as a feather ; for the bare touch of the bags of gold had imparted a strength which astonished himself. He carried Grimaldi into his cellar, dug a deep grave, and tumbled him into it with his keys and clothes. This done, he filled up the grave with so much caution, that it was impossible to discover that the earth had been disturbed.

Having finished his work, he hastened to his room, untied his bags, and began, not so much to count, as to feast his eyes with, the gold. He found that all was right to a ducat ; but he was dazzled at the sight of so much treasure. First he counted it, then he weighed it ; his ecstasy increasing every moment. He deposited the whole heap in a private closet, burnt the bags, and did not remove his eyes from them till the last atom was consumed, when he threw the ashes into the air, fearing lest even these might betray him. At last he retired to rest ; for labour and joy had conspired to fatigue him.

Some days afterwards, nothing being heard of Grimaldi, the magistrates ordered his house to be opened. All were surprised at not meeting with the master, either dead or alive ; but much more at not finding any money. Three months more elapsed without any tidings of Grimaldi. As soon as Fazio perceived that his sudden disappearance ceased to be the engrossing topic of conversation, he began to drop hints of the success of his chemical discoveries. In a short time he spread a report that he had transmuted a quantity of lead into a bar of gold. People laughed at him, as they had frequently done before, for he had on many occasions

deceived himself in his operations. But Fazio now stood firm to his assertions, prudently observed a judicious gradation in his conversations and exhibitions of his skill, and at last declared that he was going to France to convert his gold bar into current coin.

The more effectually to conceal his real design, he pretended to be in want of cash for his travelling expenses, and borrowed a hundred florins on the security of a small farm. Fifty of these he kept for his own use, and fifty he gave to his wife, at the same time assuring her of his speedy return. When she found him thus serious, she was thrown into the greatest state of alarm. She feared that it was the ruin of his fortune which forced Fazio to fly his country. She never expected to see him again, and thought of nothing but being shortly reduced to the extremity of distress, and left forlorn, with her two fatherless children destitute of bread. She begged and conjured him not to travel. She spoke with such earnestness and pathos, that Fazio was so affected at her distress, as no longer to be able to conceal his secret, notwithstanding his resolution to keep it for life. He led her to his cabinet, narrated the transaction with Grimaldi, and showed her his golden treasure, the sight of which removed every doubt.

We may judge of the satisfaction this disclosure gave to Valentina, for this was the name of Fazio's wife. She fell upon his neck, warmly embraced him, thanked him for his confidence, and flattered him as much for his dexterity and presence of mind, as she had before teased him with reproaches and objections. A multitude of plans for future happiness and parade were projected; and preparations for the journey were made with all speed. But when the day of his departure arrived, Valentina, (on whom Fazio, as we may suppose, had imposed the profoundest silence,) did not fail to make common cause with the rest of the family, and remonstrated against the journey with unabated warmth. She pretended that he was quitting her for ever, was lavish of her prayers and entreaties, and affected to swoon away with anguish. Fazio himself passed for a fool. The whole town laughed at him openly, and he laughed at the whole town in his sleeve.

While he was on his road to Marseilles, his wife, who remained at Pisa, continued to play the part she had assumed. She incessantly complained of her poverty, while in private she had plenty of all things. Every one lamented her fate, commiserated the condition of her children, and the more humane pitied Fazio, as a lunatic.

In the mean time he sold his gold for bills of exchange on an eminent banker at Pisa, and wrote to his wife that he had disposed of his bars to advantage, and would shortly return home. Valentina showed the letter to her relations and acquaintances, and to all who were willing to read it; all who perused it were filled with astonishment. The majority still doubted of Fazio's good fortune, when he arrived in person at Pisa. He related the success with which his chemical labours had been crowned to all the world, not forgetting to add, that his bars, on being assayed, turned out to be of the purest and finest gold. He corroborated the verbal testimonies of his triumphant success, by speaking and substantial proofs, drawing from the banker nine thousand gold dollars in specie. Before this kind of demonstration, the most inveterate scepticism was dumb. The story was told from house to house, and all extolled the knowledge of Fazio in the occult science of the transmutation of metals. The very man, who but a few months before was pronounced a confirmed

fool by the whole city at large, was now elevated by that very city to the rank of a great philosopher ; and the fortunate goldsmith, at one and the same time, enjoyed the double advantage of being honoured for his learning and wealth. 'Tis the way of the world, who never look to motives, but to results, and who judge by effects, never troubling themselves about causes.

There being no longer any need for secrecy, Fazio gave scope to his desires. He redeemed his farm from the mortgage, bought himself a title at Rome, purchased a magnificent house, and was surrounded by a splendid retinue of servants. In this manner his wife and himself enjoyed the pleasure of knowing themselves rich, a pleasure that is by far the most sensibly felt by those who have been formerly in want. Valentina, who was now a woman of too much consideration personally to superintend her own household, with the approval of her husband entrusted that duty to an old and very ugly relation, who brought with her into the family a young and beautiful daughter.

Fazio, now a man of fashion, resolved to keep a mistress. He cast his eyes on the daughter of the aged relation. She was called Adelaide. She lent a willing ear to the overtures of Fazio, and soon entered into so intimate correspondence, as to cause a disagreement with his wife. But ere Valentina had time to penetrate the secret, or convince herself of her husband's infidelity, he had already lavished large sums on Adelaide. Valentina was jealous of her rights to the last punctilio, and it grieved her much to see herself under the authority of an usurper. Discord broke in upon their conjugal union. Valentina became sullen, and Adelaide imperious. One day they quarrelled so violently, that Valentina turned the old housekeeper, and her daughter, out of doors. Fazio, on returning home, was incensed at this procedure, while it heightened his passion for Adelaide. He at once hired a splendid lodging for her residence, at which new mark of regard, Valentina, who was very violent naturally, could no longer controul her fury.

Fazio, having vainly tried every art to pacify or deceive her, retired to an estate that he had bought in the country, and there he received Adelaide. This no sooner reached the ears of Valentina, who in jealousy was more like a fury than a woman, than she meditated the most horrid revenge. Without once reflecting on the melancholy consequences, she resolved to impeach her husband before a magistrate, as the murderer of Grimaldi. She put her dreadful scheme into execution on the spur of the moment ; and Fazio, who was dreaming away delicious moments in the company of his fair one, never thought of the storm that was gathering round his head.

The judge, having examined into the circumstances narrated to him by the informant, despatched persons to dig up the ground in Fazio's cellar ; the remains of Grimaldi being found, the unfortunate goldsmith was seized by the police, and carried to prison. On his first interrogatory, he stoutly denied the charge ; but, on being confronted with his wife, and she appearing as his accuser, he immediately exclaimed : " Wretch that thou art, had I loved thee less, thou wouldst not have been entrusted with my secret ; I was weak enough to trust thee, and now I reap the reward of my foolish tenderness." The torture which, in those days, was so dangerous to accused innocence, extorted from Fazio a confession of all that he had done, and even of what he had not done. He accused himself of the murder of Grimaldi, although guiltless ; and was sen-

tenced to forfeit his possessions, and suffer death, at the place of public execution.

Valentina, on being dismissed from the court of justice, returned to her house, but was not a little surprised at finding it beset with police officers, who had even turned her children out of it. No more was wanting than this fresh misfortune to render her a prey to complete despair. The stings of conscience already wrung her heart ; for, her revenge being satiated, she now saw the rashness of her conduct in all its extent, and had a full presentiment of her future misery. Pain and remorse rose to their height. In frantic mood she ran about with dishevelled hair, and implored the judge to liberate her husband, whom she herself had delivered up to the hangman. The sight of her children, now destitute through her act, redoubled her anguish.

The whole city resounded with this melancholy event. Valentina, who was a horror to herself, had not even the poor consolation of exciting compassion. Relations and acquaintance hated and avoided her, like a ravening beast.

Fazio, in the mean time, was awaiting his deplorable doom. He was led to the place of execution along the principal streets. He ascended the scaffold with great composure, declared his innocence, and cursed the impetuous jealousy of his wife. He was executed ; and his body, according to custom, was exposed on the scaffold as a terror to the beholders. Rage and despair had in the mean time transported Valentina to the most dreadful of all imaginable deeds. She took her two children by the hand, and hurried them with hasty steps, continually weeping, to the place of execution. She pressed through the crowd, who made way for her to pass, and loaded her with execrations. But Valentina was deaf to all that passed. She reached the foot of the bloody scaffold, and mounted with her children the fatal steps, as though she would once more have embraced the body of her spouse. The frantic mother led her children close to the bleeding corpse, and bade them embrace their deceased father. At this piteous sight, rendered more doleful by the cries of the little mourners, all the spectators burst into tears, when suddenly the raging mother plunged a dagger into the breast of one, than ran upon the other, and stretched him dead beside his dying brother. An universal burst of horror and dismay rent the air. The populace rushed forward to lay hold on her,—but, already she had stabbed herself with the poniard, and fell lifeless on the bodies of her family.

MALESHERBES AND LOUIS THE SIXTEENTH.

THE virtues of Malesherbes, and the misfortunes of Louis the Sixteenth, are so generally known, that additional particulars may be deemed superfluous. But as the facts collected in this article will be new to most readers, and are deeply interesting, we have resolved to give them a more extended publicity. They were communicated by Malesherbes to M. De Vaines, and were printed by the Abbé Morellet in the notes appended to the second volume of his memoirs. The authenticity of this precious historical fragment is undoubted.

M. De Vaines had long enjoyed the intimate friendship of Malesherbes. In 1794, they were confined in one of those numerous prisons with which

France then abounded, and from which so many victims were drawn to appear before the revolutionary tribunal, whence they were led to the scaffold. During the tedious hours of their captivity, the two friends frequently conversed about the old times of the monarchy, and particularly about the events that occurred during the administration of Malesherbes. On one occasion, Malesherbes said to his friend: "Turgot and myself were honest and well intentioned; our education was superior; we passionately desired the welfare of our country; who would have supposed that fitter persons than ourselves could have been chosen for our respective offices! However, the truth is, that we were bad administrators. Only knowing men through books, wanting tact in the conduct of affairs, we could not direct the king's mind to a proper system of government; we allowed him to be ruled by M. de Maurepas, who added his own weakness to that of his pupil; thus, without willing it, or foreseeing the consequences of our policy, we ourselves contributed to bring about the revolution."

M. De Vaines entreated Malesherbes to relate to him all that he had seen and heard respecting this memorable epoch, particularly what occurred at his personal interviews with Louis the Sixteenth, after he had obtained the dangerous honour of defending his life at the bar of the constituent assembly. With this request Malesherbes complied, and the following is the statement which M. De Vaines communicated to the Abbé Morellet, and which the latter preserved.

"As soon," said Malesherbes, "as I had received permission to enter the prison of his Majesty, I hastened to his presence. Scarcely had he got a glimpse of me, than he laid down on a small table a Tacitus that he had been reading; he clasped me warmly in his arms, and, with tears standing in his eyes, said: The sacrifice you have made is the more generous, because you hazard your own life without any chance of saving mine. I represented to him that I incurred no personal danger, and that it was more easy to frame a successful defence than he imagined. He quickly answered: I am sure they will sentence me to death; they have the power and the will. But let that pass; let us arrange the facts and proofs, as though I were sure to gain the cause; and I will in fact gain it, so far as to establish my innocence, and transmit my name to posterity without a stain. He then inquired on what day he might expect to see his two advocates? He had seen Tronchet at the constituent assembly; he had no knowledge, however, of Desèze, and he asked many particulars concerning him; he appeared quite satisfied with my statement of his character and talents. He spoke without bitterness of Target, who had refused to conduct his defence. He observed: Do you think they will grant sufficient time for preparation? I hope so, sire. He smiled and said: You must not address me by that title. What other term must I use? Do you permit me to call you citizen? Oh! certainly, I consider myself a good citizen,—much better, indeed, than those who accuse me. I could not, however, get rid of the habit of addressing him as king.

"His Majesty laboured with us every day in examining his documents, in arranging evidence, and weighing such arguments as seemed best calculated for his justification, and this with a presence of mind, a cheerfulness, and a sincerity that excited my admiration, as well as that of my two associates. Tronchet, who was of a frigid temperament, and had become still colder from the character of the times, which made extreme reserve a matter of prudence, was sensibly touched by the candour and

innocence of his royal client, and terminated with affectionate feeling the office that he had commenced with severity.

"One day we were speaking of the progress of the revolution. Tronchet exclaimed: Who could have imagined that it would have been pushed to these extremities? He, replied the king, who put a memoir into my hands at the opening of the States-General; he prognosticated all that has happened; but I did not believe what was written. He suddenly checked himself, and looking at me, said: M. De Malesherbes, were you not the author of that memoir? Yes, sire. It is no longer in my possession, he continued; I gave it to M. De Montmorin, but I should like to have a copy: but, what good could I now derive from it? Alas! none; it is too late.

"The advocates and myself hoped that his sentence would not exceed deportation out of France. We expressed this sentiment to him; we used all our powers of persuasion to convince him that we were right; it seemed to console his afflictions. He encouraged this belief for several days; but the perusal of the public papers dispelled the illusion, and convinced him that he was placed beyond the pale of mercy.

"When Desèze had finished his pleading, he read it to us. I never heard any thing so pathetic as the peroration. Tronchet and myself were affected even to tears. The king said: Suppress it; I wish not to make my judges weep.

"Being alone, his Majesty said: I have a load on my mind. What is it? I have no regret on your account; you have never sought for title or money. When I called you to a share in the administration, I knew that you did not desire office; but the appointment was the strongest proof of my confidence in your loyalty and virtue. You have now discharged what you deem to be a duty in coming to my assistance; but Desèze and Tronchet owe me nothing. They give me their time and labour; perhaps this devotion may cost them their lives; how can I reward such services? I possess nothing, and should I bequeath them a legacy, the nation would not pay it. Sire, their memory will live: Europe and posterity will reward them. You may yourself more than repay their services. How? Embrace them. The following day he pressed them both to his heart, when they melted into tears.

"The day of trial now approached. The king said to me one morning: I expect at your hands the most important service. I wish to confess, to hear mass, to take the sacrament, and I trust that, in the hour of death, I shall not be without spiritual succour. Know you where the bishop lives? Yes, sire. Are you acquainted with him? Intimately. What do you think of him? He is a man of intelligence and zeal, and has been active in the administration of his diocese. Think you that he would come to me were he requested? I am certain he would; but allow me to represent to your Majesty that such a selection, under existing circumstances, might lead to very serious results. It would be reported that the bishop was rather your confidant than your confessor, and that his business with you was rather political than spiritual. His Majesty said he would reflect on this advice. Resuming the conversation on the following day, he said that he would adopt my recommendation; and then observed that his sister, with whom he had some communication, had mentioned the name of a priest who had not taken the oath, and whose obscurity would protect him from persecution. I beg you to see him, to speak to him, and prepare his mind for an audience with me, so soon as his visit is permitted

He added : this is a strange commission for a philosopher, for I know you to be one ; but if ever you have to suffer as I have suffered, and have to endure the same death that awaits me, I should wish you to be impressed with the same religious sentiments as fortify me, and you will find them a much more efficacious consolation than philosophy.

"After the sitting of the constituent assembly, in which the king and his advocates had been heard at the bar, he said to me : You must now be fully convinced that I did not deceive myself, and that my condemnation was pronounced even before I was heard.

"When I returned from the assembly, after Tronchet, Desèze, and myself had demanded an appeal to the people, I related to the king what had passed, and told him that, on coming out of the hall, I was surrounded by a dense crowd, many of whom declared that he should not perish, unless they and their friends were first murdered. At this intelligence he changed colour, and said : Do you know any of the parties ? I had recognized the faces of some ; but I was too full of sorrow to have marked any in particular. Return, said the king, I beseech you, to the assembly ; endeavour to discover those who have expressed a wish to befriend me ; declare that I will never pardon them, if they cause a single drop of blood to be shed. When I might possibly have saved my life and throne, I forbade violence, nor do I repent having done so.

"It was my unfortunate destiny to announce the sentence of death. I expressed it rather by tears than words. He received it with calmness and silence. Nevertheless, I added, we are not yet deprived of all hope. A debate has arisen on the conditional votes ; the question to be determined is, whether they shall now be considered absolute or not, and the suffrages are to be taken anew. He spoke not a word, but, by a movement of his head, seemed to reject all prospect of escape. I returned in the evening to communicate the fatal result. I was persuaded that, as soon as he saw me, he would eagerly ask for the decision. He was in darkness, his back turned to a lamp that was on the chimney, his elbows resting on the table, and his hands covering his face. The noise of my entrance roused him from his meditation ; he regarded me steadfastly, rose, and without putting any question or giving me time to explain, said : During the last two hours, I have occupied my thoughts in reflecting if, in the course of my reign, I ever did an act to deserve the reproaches of my subjects. M. De Malesherbes, I swear to you in the truth and sincerity of my heart, and as a man about to appear before God, that I have constantly wished the happiness of the people, and never, not even since I have been treated with unexampled cruelty, have I entertained a feeling opposed to their interest. He then stopped, and after a moment's pause, he asked what the assembly had decided.

"I saw this unfortunate monarch once more after his condemnation. Whether no orders had been given to the guards to prohibit my entrance, or whether they pretended not to see me, I cannot say, but I went into his apartment. Two municipal officers were standing beside him. He was seated and reading. I remained at some distance, and silent. One of the officers took me by the hand, and said : Speak to him ; we will not listen ; but be quick. He then went away, making a signal to his companion to follow. I then told the king that the priest, whose presence he desired, was coming. He thanked me, embraced me, and said : Do not afflict yourself at my fate ; I am not afraid of death, and rely with confidence on the mercy of God."

Such is the affecting statement of Malesherbes, as narrated by him to M. De Vaines when they were in prison. Eight days afterwards this venerable old man, his daughter, and his grandchildren, were led to the scaffold, which streamed at one and the same time with the blood of three generations.

HOSPITAL OF ST. LOUIS, AT PARIS.

THE hospital of St. Louis, principally devoted to skin diseases, is situate to the north of Paris. It is slightly elevated, and is surrounded by numerous kitchen gardens. It is one of the most healthy establishments of the capital, as well on account of its excellent construction, as for its advantageous position. The canal of St. Martin runs parallel to its southern wall. The abundant vegetation that surrounds it, contributes not a little to its salubrity, and to guarantee it from all deleterious miasmata.

The hospital of St. Louis owes its origin to the good King Henry the Fourth. It was one of his works of predilection. An engraving is most religiously preserved, of the time at which he is represented arriving with the principal officers of his court. He seems to delight, at this moment, in the idea that he has contributed to the solace of suffering humanity. It was sometimes for him the termination of a walk, when he went to visit the immortal Sully.

The hospital of St. Louis was built in the year 1607, by Claude de Ville-Feux, surveyor of St. Germain des Prés, on the designs of Claude Chastillon, native of Chalons-sur-Marne, who took the title of engineer and topographer to the king.* The establishment was destined to receive persons attacked by epidemic or pestilential diseases; thus it is remarkable from the other hospitals by the arrangement of its immense wards, the ceilings of which are pierced, in order that the air may be renewed with facility. The offices are isolated from it. The pharmacy, kitchen, &c., have private entrances, in order that the persons who have charge of the supplies may not communicate with those within, and that they may not thus carry the contagion into the town. This hospital was very useful in the years 1696, 1699, 1709, and 1754, when the most dreadful maladies reigned in Paris.

The hospital of St. Louis has now become a special hospital for chronic complaints, and in this point of view it holds, without contradiction, the foremost rank. To the advantages of a charming and healthy situation, and to a construction appropriate to the object that it has to fulfil, it unites a multitude of others. Let it be remarked, that the nature of the maladies treated would not in any manner whatever be opposed to the fulfilment of its original destination in the event of an epidemic; the patients which it ordinarily contains being susceptible of being sent away on such a contingency, and thus the hospital might be emptied in a few days. This was what took place in a case of emergency, in 1814, when the typhus made great ravages among the soldiers, as also during the

* The first stone of this edifice was laid in July, 1607. It was then a question to find 2,000,000 of francs to meet the expense of this noble undertaking. Henry the Fourth furnished part of the funds, and the charity of the shopkeepers of Paris achieved the rest. The work was carried on with great activity up to the period of the king's death. Louis the Thirteenth, by his liberality, enabled the architect to attain the complete perfection of the building.

scourge that desolated Paris, in the year 1832, the souvenir of which will never be lost for the instruction of the student and the experience of the physician. The pavilion Gabrielle is situate to the east of the quadrangular enclosure which circumscribes the hospital. It is occupied by females, the most frequently by young girls, and specially destined to the treatment of the cutaneous maladies, with which they are afflicted. This pavilion offers, by its internal distribution, the division the most conveniently adapted for the uses to which it is disposed. It is divided into a ground, a first and second floor, surmounted by a fourth department, where the women sleep, whose duty it is to wait upon the patients. Each ward contains from fifteen to twenty beds. They are boarded, and pierced with numerous windows, looking to the east over vast kitchen gardens, and to the west over an elegant parterre, the flowers of which, cultivated by the sisters of the hospital, gratify the sight of the patients, and perfume the air which they breathe. In the rigorous season, these wards are heated by vast pipes, conductors of caloric, the furnace supplying them being situate under the building itself. There is on the ground floor an amphitheatre, crowded every year by the students, who go to benefit by the clinical lessons of the professor.

An inestimable benefit is enjoyed in this pavilion, in the advantage that it affords of being able to separate young females, who belong to respectable families, from the other patients, and in thus being, for them, the safeguard of their morals. In fact, the asylums of charity ought to offer to indigence the security of a sanctuary. Every gratuitous institution ceases to be a benefit to those who take advantage of it, if it offer the smallest opportunity to innocence to become corrupted. In those places where vice and debauchery are so often received, how often are the virtuous and the necessitous obliged to accept a perilous and too often fatal hospitality ! *

But the most useful thing to point out in the advantages that are offered by the hospital of St. Louis, is that which regards the artificial mineral waters, publicly established for the advantage of the poor and the afflicted. They owe their existence to the experienced and scientific sagacity of Monsieur d'Arcet, of the Academy of Sciences. This work was conceived and executed by this benevolent and philanthropic man, and we must not forget to mention the influence exercised in this noble enterprise, by the late Duke Matthieu de Montmorency, whose name is pronounced with as much gratitude as respect, whenever mention is made of benefits to the poor. Never did a director better verify in all its force this fine sentiment of the Duke de Levis, "*noblesse oblige*." His short career was but a succession of good actions, "*transivit benefaciendo*."

To all the in and out-door patients are administered fresh water baths, sulphur, mercurial, alkaline and vapour baths ; aromatic fumigations of every description ; ascending and descending shower baths, either *au piston*, or *à l'arrosoir*, &c. Every thing is found and every thing is distributed, for the benefit of humanity. Every suffering individual receives at the same time the best advice and the remedy the most appropriate to his wants. It is, therefore, in summer that the crowd abounds—cases of rheumatism, paralysis, scorbutic cachexia, neuralgia, articular swellings, lymphatic tumours of every description, and every possible variety of

* There is certainly something paternal in the separation of vice from virtue, for not only is it imprudent to confound persons who differ in their moral qualities, but still further even those who are distinguished by the character of their education and the particular cultivation of their mind.

diseases of the skin are to be found collected. Notwithstanding the number of unhappy beings that are found here, few of them retire without having obtained relief. It is easy to appreciate the utility of such an establishment, if it be borne in mind that compound, and even simple, baths are the most costly and the most efficacious in the treatment of long and obstinate diseases.

The hospital of St. Louis is then one of the most admirable edifices ever raised to suffering humanity, as it obviates so many sufferings, and repairs, by such a variety of means, the miseries of life—this building, indeed, throws wide its gates to all kinds of infirmities and every description of disease—here are seen soldiers, artisans, scientific men, and men of letters, whose inspirations have been unsuccessful in the exercise of their talents; merchants who have been deceived by fortune, and who come here, as it were, to expiate their imprudent speculations; men fallen from employments that they occupied with distinction in society. Here is seen an influx of the unhappy from all countries, English, Italians, Germans, Spaniards, Americans, Africans, Asiatics, &c. Truly there might be engraven on this edifice, the famous inscription that was written formerly on the asylums consecrated to the relief of the poor: "*Pour la ville et pour l'univers.*"—"Urbi et Orbi."

J. C.

THE TRIUMPHAL ARCH, DE L'ÉTOILE, AT PARIS.

THE first stone of this magnificent national monument was laid in 1806, by the orders of the Emperor Napoleon, and the building was completed in 1836, in the sixth year of the reign of Louis Philippe. Three hundred and eighty-four military engagements, from the battle of Valmy, in 1792, to the battle of Ligny, in 1814; the names of one hundred and twenty-six general officers who had fought in defence of France during that period; and thirty *corps d'armée*, from those of the North, and the Sambre and Meuse, down to the grand army, are inscribed on its walls. Thus associated with the triumphs of the revolution and the empire, this arch rouses the enthusiasm of all, excites universal admiration, brings back the memory of past events in full freshness, and awakens the most varied and the most profound reflections. On this account, though stupendous as a work of architecture and sculpture, it derives its chief interest from its character, as a national monument. The decree of Napoleon of the 18th of January, 1806, enacted that this arch should be raised to the honour of the French armies; in the prosecution of the work during the restoration, this idea was greatly changed; but Louis Philippe revived, and carried into execution, the original design. Not only has the great captain who, during so many years, led the armies of France to victory, resumed a conspicuous, though not an exclusive, station, in the sculptured decorations of the arch, but the names of the crowd of generals who were his rivals, his brothers in arms, or his lieutenants, are inscribed on it with honourable distinction. Nothing can be more appropriate than this mode of immortalizing the illustrious warriors who took part in the long and important wars of the revolution, and it is a noble improvement on the common plan, observable both on ancient and modern monuments, which are too often disgraced by pompous and false inscriptions. The name of each military division, of each general, of each victory, brings back to the mind of the spectator the glories of the "grande nation."

From the interesting report, published by MM. Thierry and Coulon, the inspectors and superintendents of the triumphal arch, we have borrowed some details relative to its construction, and the dimensions of this vast edifice.

By an imperial decree, dated the 18th of February, 1806, its elevation was ordered. From the commencement, it was proposed to build it of colossal proportions. The largest triumphal arch of antiquity, that of Constantine, is sixty-five feet ten inches high, and seventy-six feet wide. The Porte St. Denis, the largest triumphal arch of modern times, is seventy-two feet nine inches high, and seventy-three feet nine inches wide.

The triumphal arch, De L'Etoile, is one hundred and fifty-two feet three inches high, one hundred and thirty-seven feet eleven inches wide, and sixty-eight feet four inches thick.

The grand arch is ninety feet six inches high, and forty-five feet wide.

The smaller arches are fifty-seven feet six inches high, and twenty-five feet eleven inches wide.

The foundations are twenty-five feet six inches in depth below the ground, entering over a surface of one hundred and sixty-seven feet ten inches in length, and eighty-three feet eleven inches in width.

The foundation stone bears the following inscription: "In the year 1806, the 15th of August, being the anniversary of the birth of his Majesty, Napoleon the Great, this first stone was laid. (Signed) The minister of the Interior, M. De Champagny."

The sums expended on the building, and the decorations of the Arch of Triumph, amount to nine millions six hundred and fifty-one thousand one hundred and fifteen francs forty-two centimes.

Under the Empire.	3,200,713 fr.	36 c.
„ Restoration	3,000,778	68
„ Louis Philippe.	3,449,723	38
Total.	9,651,115	42

The first plan adopted was the design of the architect Chalgrin. There was nothing very remarkable in it, but it was approved of by Napoleon, somewhat hastily, his mind then being fully occupied with the important affairs of 1806. Chalgrin superintended the construction of the arch, to just below the cornice of the pedestal. Goust followed up this design to the impost of the grand arch, till the works were suspended in 1814. They were resumed in 1823, under the Restoration. MM. Huyot and Goust were entrusted with the supervision. But the former of these architects, having presented a design which deviated from the *data* originally adopted, discontinued his functions, and M. Goust had the sole direction, under the advice of a commission composed of four architects: MM. Fontaine, Debret, De Gisors, and Labarre. Under their joint care, the Triumphal Arch was raised to the first course of the architrave of the entablature. In 1828, the Bourbons wished to change the original plan, by introducing the Spanish campaign under the Duke d'Angouleme; but the revolution of 1830 revived the first views of Napoleon, and Louis Philippe decided that the arch should be consecrated to the glory of the French armies up to the period of 1815.

The *façade* on the Paris side is preferred to the other, and among the

sculptures which ornament the former, is a colossal figure on the right, representing the "Departure," in 1790, executed by M. Rude. The Genius of War, thundering forth the cry of alarm, and directing the point of his sword to the spot where the enemy is to be met and encountered, is full of life, movement, and enthusiasm. The chief who calls the citizens to battle, and the crowd of persons around him, is quite equal to the Genius who flies over their heads.

Another colossal group, to the left, represents the "Triumph," in 1810. The emperor is seen, crowned by victory, while Fame proclaims the heroic exploits which History records. The execution of this part is tame and heavy, and the expression of the emperor is peculiarly inanimate. The sculptor is M. Cortot.

On the opposite *façade*, fronting the avenue of Neuilly, the two groups are by M. Étex. The one represents the "Resistance" in 1814, and the other, the "Peace" in 1815. The mixture of excellence and defects in these two works is such, that the spectator hardly knows whether to admire or to blame. The figures are not well defined, their proportions are too short, and want life and energy.

Between the impost of the grand arch and the entablature, are placed, on each of the grand *façades*, two bas-reliefs, and another on each of the lateral faces.

The bas-relief on the right, looking towards the Tuilleries, depicts the funeral of General Marceau. It is by M. Lemaire, who has finished it off with too much minuteness, not allowing for the distance of the spectator.

On the bas-relief to the left, on the same front, M. Seurre, the elder, has represented General Buonaparte, receiving the submission of Mustapha Pacha after the victory of Aboukir. This is one of the best on the arch.

The bas-relief to the right, on the *façade* fronting the avenue of Neuilly, represents the passage over the bridge of Arcole by Buonaparte. It is executed by M. Feuchere. The subject however is too picturesque to accord with the severity of sculpture.

The fourth bas-relief, towards Neuilly, is by M. Chaponniere, and represents the capture of Alexandria in Egypt, by Kleber. It is one of the best on the arch.

The bas-relief on the lateral front towards Passy, is sculptured by M. Marochetti. It represents Dumouriez and his staff at the battle of Jemmappes.

The last of the six, and in public estimation the best, is the battle of Austerlitz, by M. Gecther. It looks towards the faubourg du Roule.

Such are the principal ornaments of this stupendous and truly national ornament, though there are many other of inferior proportions. In gigantic dimensions, there is nothing equal to it in the world; it is the pride of the French, and the admiration of every stranger.

GENERAL CONSIDERATIONS ON THE HYGIENE OF CHILDREN.

If there be a subject worn and misused in medicine and in morals, it is assuredly the art of rearing children, in a physiological and moral point of view. What has not been said and written on this important branch of the medical profession? However, from an attentive and impartial

perusal of the different treatises published on the physical and moral education of children, many excellent observations may be found ; but, on the other hand, what omissions, what errors, and, above all, what false, dangerous, and absurd principles !

The philosophical physician, who would take up and complete this important subject, would deserve the gratitude of humanity. In the mean time, I bring my stone to aid in the construction of the edifice so ardently to be desired. We will collect the materials ; the architect of genius will perhaps, one day, make his appearance.

" Doctor," a lady once said to me, " be brief and simple in your precepts. What is necessary, wisely to rear children and to render them healthy and robust ? " " Madam," I replied, " the precepts are simple ; it is necessary to *love and understand* them. This is in truth the radical principle, the principle *par excellence*, the summary of the entire science of education. Whoever does not naturally love children, whoever does not sympathise with them, feel happy in their presence, amused by their joys, and afflicted by their pains, is in no way fit to rear them ; such a person will communicate nothing to them ; will neither nourish nor fortify their bodies, nor their minds, nor their hearts. How can it be otherwise ? He does not understand them, and will never be understood by them. If we are ignorant of their constitution, if we have not reflected on the hidden delicacy and vigour of their organs, on the eminently nervous susceptibility which characterises them,—source of their incessant activity, of their petulance, of their numberless little graces, and also of their maladies,—we shall grope in the dark, and have nothing frequently to guide us but mere routine. Thus we may sum up, in two words, the bases of all good education, physics and morals :

Love and intelligence are the prophets.

When, after nine months of pain and fatigue, of lassitude and expectation, a young mother at last sees the fruit of all her loves, dying she deposes it at the gates of life ; is there a being more feeble, more naked, more destitute, more exposed ? Its life hangs only by a thread, and the most trifling accident may sever this slender connection ! but be not apprehensive, the *love* of the mother is there to protect the poor child. Scarcely has it escaped from the mother, when that love covers it with its wings, shelters and preserves it. At every hour, at every minute, at every instant, by night and by day, the mother watches over her dearly beloved child. It is the fruit of her entrails, blood of her blood, life of her life, the complement of her existence, the being by which she will be continued upon the earth. Thenceforward, all her faculties will be concentrated upon this object of her affections. The health, the prosperity of her child, these are the only measures of her happiness ; for these continual solitudes, and this love, end only with her. From thence the proverb so cruelly true, *that the pains of the mother never terminate,—que mal de mère ne finit pas.*

If the child fall ill, then good bye to the tranquillity, good bye to the sleep, of the poor mother ; she is there for the slightest cry, the smallest gesture ; she understands the most trifling expression of the countenance, or the eyes of her child ; she runs, she flies, she is every where, she thinks of all, she anticipates the most insignificant and fugitive desires ; nothing discourages her, neither the disgusting character of the services required, nor their multiplicity, nor their duration ; her love looks to all. And as there is a sort of sympathetic intuition between the mother and her child,

she divines in the slightest movements of the latter, in the slightest shade of its regards, of its expression, of its voice, the particular characters that afflict, annoy, or console it ; characters that escape not only the vigilance of the attendants, but very often that of the most experienced physician.

Many years ago, I attended a child attacked by a very serious complaint ; the result was uncertain, and I could hold out no hope. But the mother, who could not anticipate the loss of her son, or assured by certain particular signs, said to me one day : " My poor child is very low, and I am penetrated with grief, but I do not give up all hope ; believe me, doctor, *where there is life, there is hope.*" She was right ; her child escaped. Yes, where there is life there is hope, so many resources has nature, and particularly with children. This phrase, of an admirable depth and exactitude, has since enabled me frequently to console afflicted mothers.

The love of the mother is the most natural hygiene, the most certain, the most efficacious shelter that can be extended to the weakly creature just born. This love will continue its powerful effusion till such time as, force being acquired, the healthy and robust child shall be enabled to trust to himself, to his own reason. It is then that he becomes the idol of his mother, that she admires herself in him, that she seems to be reborn in him. It is for this reason that the desire of fecundity is the greatest charm in the girdle of Venus, and even that it seems to be the only one in the heart of every chaste and virtuous young woman. It is not astonishing if the mother and her child, united by so holy a love, form the most harmonious unity in nature or in society. It is, in truth, in this long association of the mother with the being that she has carried in her womb ; in this touching community of existence ; in this assiduity of indispensable cares, paid by so many charms and inquietudes ; in this reciprocity of endearments ; in this mutual and constant affection which, at each instant, gives and accepts, receives and bestows, that may be attributed the most happily and the most perfectly combined physical and moral development of the human species.

And observe, that this gives us the solution of a problem that strikes even the most unenlightened. How is it that nature, or God, its author, has not confided to man the rearing of his offspring ? Does it not seem more simple to place the feeble under the protection of the strong ? But force is less required to rear and nourish children, than tenderness and vigilance. While reason hesitates and deliberates, sentiment, more prompt than lightning, rushes and flies before the threatened danger. This sentiment, this passion of a fine and positive instinct, will never exist but in a delicate, sensible, and impressionable organization,—in that compound of love, of tenderness, of joys, of inquietudes, and of hopes, called the heart of woman.

It must, however, be acknowledged, that maternal love, whatever may be its extent and power, suffices but imperfectly in many cases. It is necessary to study and to understand the infant ; in other words, *intelligence* should be united to this love, a science without which we advance in obscurity. Maternal instinct, I repeat, notwithstanding its singular and active foresight, is likely to be led astray, if it be not seconded by reason and experience. Frequently extravagant systems and foolish innovations are adopted, but we are almost always controlled by routine and prejudice. It is thus that the use of large bands to envelop the newly born, like mummies, tightly bound swaddling clothes, unwholesome food, leading

strings, by which to carry, or rather drag children, and a long catalogue of horrible customs are persevered in, and exist in many countries. Visit the towns and the country of the most polished nations, penetrate to the interior of families, and into many public establishments consecrated to the education of children, and you will be stupified by the ridiculous customs, the improper contrivances, and the shocking modes that are employed to rear and nourish them. Caprice, hazard, custom, and prejudice, are the bases of these methods,—future source of infinite troubles and infirmities; for here, as elsewhere, all depends upon the commencement; the cradle is united to the tomb; a frail constitution, a painful existence, a sudden death, are the frequent consequences of early neglect and carelessness.

Nearly always, in fact, these evils result from a physiological and moral ignorance of early life. If it were known that, at this epoch, the body is so feeble, that it seems to exist but by its miseries and its incapacity to avoid them; that the constitution is eminently sensible and irritable, acquiring strength but by slow degrees; that the stomach is in a state of continual activity, and yet easily fatigued; that the alimentary assimilations should be prompt, easy, and always superior to the waste of the body; that the blood circulates rapidly, and is, notwithstanding, deficient to a certain degree in warmth, particularly in the early periods of infancy; that the transpiration (except in the first months) is excited with extraordinary facility; that the want of movement results from the extreme laxity of the muscles, which is necessary to their expansion; that sleep profound and continued, so indispensable to children, is united to the want of sudden and complete assimilations; that children are very subject to spasms and convulsions, in consequence of their excessive sensibility, and that this is excited by the most trifling causes, and is calmed by the most feeble means; finally, that this exuberant life, this animated turgescence of every part of the body; this incessant mobility, so remarkable in the little beings, should be watched, but never restrained, we should establish the basis of a *positive and rational system of hygiene*. There are differences among children, that ought not to be lost sight of,—differences that influence greatly the means to be adopted to rear them, and the consequences of which are important. One, for instance, requires a powerful and substantial nourishment—another, a lighter aliment; that child of a lymphatic constitution, requires to be excited to movement; he requires a strengthening diet and warm clothing; for this, on the other hand, delicate, thin, nervous, susceptible and effervescent, is required a soothing alimentation, sleep, continued sleep; moderate his petulance, blunt his susceptibility, guard against his precocity.

These principles are equally applicable to the moral education; to form the judgment of the infant, to guide his reason, to enlighten his mind without fatiguing his head and abusing his powers, this is what medicine and a wise philosophy would conjointly teach. It is by neglecting and confounding them in one common plan, that many children languish and die; that with others, life becomes bitter and insupportable; that generations become radically degenerated to the shame of our civilization, while superintendents are chosen by Government, and enormously paid, for the cultivation and superintendence of the breed of horses; but there is nothing of the kind for children and their physical education; here all is abandoned to indifference, to cupidity, and to ignorance. Many tender and devoted mothers are not exempted from

falling into fatal errors, because, as I have observed, they are deficient in certain positive ideas on the constitution and physiology of children. Besides, there are few persons, perhaps, who unite the *two* indispensable qualities of which we have spoken, and are proper for the care of children ; great men even have not possessed them, although having high pretensions on this important subject.

Among the latter, I hesitate not to place J. J. Rousseau. Notwithstanding his genius, notwithstanding the splendid passages in his *Emile*, it is certain that this great writer neither loved nor understood children. Is it possible to conceive that a man calling himself a philosopher, who has written a complete treatise on education, and who constantly boasts of his domestic virtues, should afterwards send his three children to the *hôpital des enfans trouvés*. Is there a parallel piece of absurdity, a contradiction more palpable and revolting ? Thus, in spite of the vigour of his eminent style and talent, the precepts of Rousseau have constantly given way to this outcry of good sense and virtue—"he has sent his children to the hospital." The only way in which we can excuse such an act is to say, that the author of *Emile* was not always possessed of his reason, a fact extremely probable, and which justifies this remark of a celebrated woman ; "When nature formed Rousseau, wisdom kneaded the dough, but folly threw in her leaven." If we follow this illustrious unfortunate in all the acts of his life, if we read, without prejudice, many of his writings, we shall convince ourselves of the truth of this judgment. No ; Rousseau did not love children, although he vaunts his tenderness for them ; nor did he better understand them. His works put forth principles the most inapplicable, the most ridiculous, and, consequently, the most opposed to the laws of nature, and to the health of children. Here is the proof ; as soon, or at least shortly after birth, this strange preceptor recommends placing the newly born infant in cold water, and that this immersion should be reiterated, in order to fortify it. Oh, the barbarian ! put a newly born infant in cold water ! is it not actually an advocacy for homicide ? For nine months this child has been retained in a bath of luke warm fluid, has lived by the blood of its mother ; blood warm and active ; now it must live by its own blood, and this must be elaborated by its own organs ; but these organs are still feeble, because they are slightly developed ; thus, the blood of these little creatures is very fluid, lightly coloured, in no way endowed with vital energy. It results that heat is deficient with them, particularly in the skin, and it is for this reason that transpiration exists not, or in a very slight degree ; from thence, the necessity not to expose them to cold, to cover them well, to warm their clothing, &c., things indispensable in all organized beings. What ! the author of *Emile*, this passionate admirer of nature, has he not seen that he here transgressed one of the most positive of her laws ? The inferior animals even remain constantly faithful to it ; they warm their young with the greatest care ; they cover them with their bodies or their wings ; they line their dens, or nests, with feathers, down, and every object calculated to retain heat ; their instinct, this faithful guide, for it is the law of God, seems, in fact, to teach them that heat and life are synonymous, and that their progeny, still extremely weak, require the one to sustain the other.

Perhaps it will be said that children have been submitted to cold water immersions, who have not only survived the employment of this system, but who have ultimately become extremely vigorous ; I can well imagine

it, for all feeble children would infallibly be destroyed by it, and we should then see none but the more robust children, and these would require the use of no such practice to strengthen them.

It is seen by this example, that men of genius do not always possess what is requisite to rear children properly. Sometimes inferior minds, but affectionate and possessing certain practical principles, succeed better than the first. We are therefore led back to what was advanced at the commencement of these considerations; on the one part to have a natural inclination, an altogether special benevolence for children; to communicate with them as it were heart to heart; on the other part, perfectly to understand their temperament; the physiological conditions of their existence and the varieties which they present; thus, we repeat once more, to love and to understand children are the two fundamental motives of their hygiene, of their physical and moral education.

MEDICUS.

SCHILLER'S WILLIAM TELL.

(Continued from page 166.)

ACT II.—SCENE 2.

Exhibits an extensive meadow surrounded by high rocks and forests. On the rock, small bridges with railings and ladders are erected, by means of which peasants are afterwards seen descending. In the back-ground the lake is visible, over which an evening rainbow gradually appears. High mountains close the prospect behind these, and rising far above them, the glaciers strike the spectator. The scene is involved in complete night, only the lake and the white summits of the glaciers shine in the moonlight. Here the delegates of the most influential of the disaffected peasantry, with several chiefs, meet by appointment. After some desultory conversation on the precedence of the respective cantons, the deliberation commences. The chiefs and delegates enter on a statement of the grievances under which the peasantry are labouring, the oppressions and wrongs practised by the bailiff and governors of the cantons. The elders of the assembly then descant at considerable length on the antiquity and justice of their privileges, tracing back their right of territorial possession to the earliest period of their settlement in the land after having migrated from the north, in consequence, according to the tradition, of a famine, during which every tenth citizen consented to leave his country in search of new settlements. Letters patent and formal grants from the emperors had in later times confirmed and approved their rights to the free possession of the land, and only of late years had the imperial power become aggressive and even tyrannical. After having unanimously expressed their indignation at the despotic and cruel measures of their oppressors, the point proposed for decision is:—Whether they should immediately resent their wrongs by destroying the fortresses and garrisons of the Austrian party, or whether it would not be more prudent and conducive to the ultimate success of the enterprise, to defer the insurrection till the confederacy had attained its full strength by an increase of adherents, and matured its plan of operations by deliberate consideration. In the course of the debate our old friend Stauffacher thus addresses the assembled people:

This soil we have created for ourselves,
With toilsome industry transformed
This forest, once the wild retreat of bears,
To an abode for men. The dragon's brood
That, swollen with venom, rose from out these marshes
We slew; the vapoury veil, whose ceaseless gloom
Hung o'er this wilderness, our hands have rent.
The hard rock we have burst, formed for the traveller
A path secure across the precipice;
Ours is this soil, a thousand years' possession

Confirms our right—and shall an alien lord's
Base serfs dare come to forge vile chains for us,
And flout us on our own inheritance?
Is there no help against such wrongs as these?

(The peasants evince deep emotion.)

Yes, there are bounds to such tyrannic power.
If the oppressed can nowhere meet with right,
When the dire load no longer can be borne,
He grasps with confidence aloft to heaven
And fetches thence his everlasting rights,
Which hang above as indestructible
As the inviolable stars themselves!—
Nature resumes her earliest state again
Where man stands opposite to man—
As a last means, when once he clearly sees
All others fail, the sword is left to him
Against despotic force—we then defend
Life's highest good—We combat for our country—
We combat for our all, our wives, our children.

(All clashing their swords together.)

We combat for our all, our wives, our children!

After a few similar outbreaks of noble determination, it is resolved that the insurrection be deferred to a certain festival, on which it was customary for the vassals to bring presents to the castles of the governors. On the day appointed, the peasantry are to conceal under their cloaks pointed spikes of iron, so constructed as to be instantly and readily fixed on wooden handles; having thus gained admittance into the castles, at a given sign, the watch-fires are to be kindled on the highest mountains throughout the country, as a signal for the general rising of the peasantry. Thus, in an obscure cavern, amidst rocks and precipices, in the depth of night, surrounded by the cruel and despotic agents of arbitrary power, was the celebrated Swiss confederation formed—a confederation which nobly and resolutely shook off the yoke of wanton tyranny so unjustly imposed—Yet a few wealthy farmers, a priest, and some thirty of the peasantry of the land, were all that planned, digested, and accomplished this glorious and memorable revolution. The diet—this was the rather anomalous term given to the assembly—had now continued during the whole of the night, when Reding, one of the principal leaders, noticed the approach of morning.

REDING.

But, lo! whilst through the night we hold the solemn diet,
Bright morn upon the loftiest mountains sends
His glowing sentinel forth.—Come, let us part
Ere day with its full blaze of light surprise us.

W. FURST.

Fear nothing,—night leaves these valleys slowly.

(All involuntarily take off their hats, and gaze with silent emotion and admiration on the magnificent sun-rise.)

RUSSELMAN. *(the priest.)*

By this all-glorious light, that greets us first
Of all the nations that with breath oppressed
Dwell far below us 'midst their cities' smoke,
Let us now take the oath of this new union.
We'll be a nation of united brothers,
No peril, no distress shall sever us.

(All repeat this with three fingers raised aloft.)

We will be free as our brave fathers were,
Die rather than exist in servitude.
Relying on our great and glorious God,
We ne'er will dread the power of earthly man.

STAUFFACHER.

And now let every one depart his way
In peace to his associates, kin, and friends!
The shepherd calmly with his flock to winter,

Enlisting friends in secret for the union !
 Whate'er you are compelled to bear, till then,
 Endure it ! Let the reckoning of the tyrants
 Increase until *one* day pays off at once
 The common and the individual debt.—
 Let every one restrain his rightful ire,
 And save his own revenge for that of all ;
 For he that helps himself in his own cause,
 Commits a robbery on the common substance.

(Whilst they are all retiring in deep silence and undisturbed order, in three different directions, the orchestra strikes up a solemn and irresistible strain of martial melody ; the stage remains vacant for some time, and exhibits the perspective spectacle of the sun's rising above the stupendous glaciers.)

ACT III.—SCENE I.

A court in front of Tell's house.

*Tell employed with a carpenter's hatchet, — Hedwig, his wife, in domestic affairs.
 Walter and William, his sons, in the back ground, playing with a cross-bow.*

WALTER. *(singing.)*

With his bow and arrow,
 O'er wood, vale, and height,
 Trips the merry huntsman
 In bright morn's first light.

King-like moves the eagle
 Through the realms of air ;
 Wood and hill's the huntman's,
 He is sov'reign there.

His is all above him,
 All that creeps and flies,
 All his arrow reaches,
 Is his lawful prize.

HEDWIG.

The lads begin to use their bows betimes.

TELL.

To learn aught well demands an early practice.

HEDWIG.

Ah, would to Heaven that they would never learn it !

TELL.

They shall learn every thing.—Whoe'er would fight
 His way through life, must be for all prepared.

HEDWIG.

Alas, not one of them will live in peace
 With us at home.

TELL.

Nor can I either, wife ;
 Nature hath never formed me for a shepherd !
 I love to chase the object of my aim ;
 For only then do I enjoy my life,
 When I can gain it every day anew.

HEDWIG.

And of thy wife's distress thou thinkest not ;
 Who, meanwhile, waiting thy returning, pines,
 And when the peasants of thy venturous deeds
 Discourse, affright and horror seize my heart,
 My bosom at each parting from thee trembles,

Lest thou shouldst never more return to me.
 Methinks I see thee 'midst the glaciers wild,
 Straying from cliff to cliff, until my eye
 Beholds thee taking the false leap, or sees
 The chamois, bounding back and dragging thee
 Down the deep precipice, scattering thy limbs
 Like the wind drifts the snow-piled avalanche,
 Then 'neath thy tread the treacherous glacier seems
 To break—thou sinkest, buried, yet alive,
 Within its awful icy tomb! Alas,
 Death overtakes the daring Alpine hunter
 In countless varying forms.

TELL.

Whoe'er
 Looks firmly round with sound collected mind,
 Relying on his God and nimble strength,
 Doth easily escape all risk and peril;
 The native mountaineer dreads not the mountain.
(Taking his hat.)

HEDWIG.

Ah! whither now?

TELL.

To Altdorf, to my father.

HEDWIG.

Are you devising nothing dangerous? Say?

TELL.

Why ask you that, good wife?

HEDWIG.

Some plot's afoot
 Against the governors; for I know the diet
 Hath on the Rutli met, and thou wast there—

TELL.

I was not there, yet when my country calls
 It shall not find me wanting in my duty.

HEDWIG.

Aye, they will place thee where the danger lurks;
 The part most difficult is ever thine.

TELL.

Each one is taxed according to his means.

HEDWIG.

You sped the Unterwaldner o'er the lake,
 Amidst the storm.—A miracle alone
 Could save your lives—Had you no thought at all
 Of wife and children?

TELL.

Wife, I thought of thee;
 Therefore I saved the father for his children.

HEDWIG.

To sail across the lake in such a tempest,
 Was surely tempting God, not trusting him.

TELL.

He that reflects too long will do but little.

HEDWIG.

Yes, thou art good and helpful, serving all,
 Yet none in thy distress will succour thee.

TELL.

May God forbid that I should need their aid!

(Taking up his bow and arrow.)

HEDWIG.

What would you with the cross-bow—leave it here!

TELL.

Without my bow, methinks I miss an arm.

(The boys return.)

WILLIAM.

Will you go with me, boy, to good old Ehni
Of Altdorf, hey?

WALTER.

Right gladly will I, father.

HEDWIG.

The governor's there now. Stay away from Altdorf.

TELL.

This day he leaves it.

HEDWIG.

Let him first be gone!

Remind him not of thee—thou know'st he hates us.

TELL.

His ill intent shall never injure me;
I do no wrong, and therefore dread no foe.

HEDWIG.

But he hates those the most that act aright.

TELL.

Because he cannot harm them—me the knight
Will gladly leave unscathed, methinks.

HEDWIG.

How! know you that?

TELL.

It is not long ago

That hunting through the desert grounds
Of Schachenthal, on tracks untrod by man,
Whilst lonely I pursued a rocky path,
Where one could not avoid the other's way,
For steep above me hung the rock abrupt
And wild beneath me roared the thundering Schachen.

*(The boys throng round the father, and look up to him
with intense eagerness.)*

Lo, straight towards me came the governor Gessler,
He quite alone with me—I too alone,
Mere man to man, near me the precipice.
And when the lord descried me thus at hand,
And recognised me, whom not long before
He for a trifling fault had heavily fined,
And when he saw me with my splendid bow,
Moving up to him—he grew deadly pale.
His knees refused their office, and I saw,
That he would sink against the rocky wall.
—Compassion seized my breast—I went up to him
Respectfully, and said: " 'Tis I, Sir Governor!"
Yet he could not bring forth a single sound
From out his lips—but merely waved his hand
To show he wished me to pursue my way:
—I passed in peace and sent his followers to him.

HEDWIG.

He trembled in thy presence—Wo to thee!
He'll ne'er forgive thee—thou hast seen his weakness.

TELL.

Therefore I'll shun him,—he will not seek me.

HEDWIG.

Stay but away to-day. Go rather hunting.

What ails thee?
 TELL.
 HEDWIG.
 Fears distract me.—Stay away.
 TELL.
 Why thus disturb thyself without a reason.
 HEDWIG.
 Because there is no reason—Tell, stay here!
 TELL.
 My dearest wife, my word is pledged—I cannot.
 HEDWIG.
 Go, if you must, then—but leave me the boy.
 WALTER.
 No, no, dear mother, I'll go with my father.
 HEDWIG.
 My Walty, wouldst thou leave thy own dear mother?
 WALTER.
 I'll bring you something with me from my Ehni. (*Exit*)
 WILLIAM.
 Mother, I'll stay with you.
 HEDWIG. (*embracing him.*)
 Ah, yes, thou art
 My darling child—Alas, thou'rt all that's left me.

J. D. PIERCEY.

THE ROMAN DE ROU.—No 13.

(Continued from page 172.)

DROGON de Monceaux was the second husband of Edith, widow of Gerard de Gourney. This baron, or his son, who bore the same name, signed the foundation charter of the abbey of Dunstable, in Bedfordshire, in the reign of Henry the First. His descendants are frequently named in the *Monasticon Anglicanum*. There are several communes in Normandy bearing the name of Monceaux, but the one from which this Drogon derived his baronial title, is in the vicinity of Bayeux.

Robert d'Oiley, who accompanied William to Hastings, received the appointment of constable of Oxfordshire. Néel d'Oily, his brother and successor, gave large donations to the abbey of Saint-Pierre-sur-Dive. Robert d'Oiley, second of that name, in 1129, founded the old abbey of Osenay, in Oxfordshire. The eldest branch of these powerful barons became extinct in the reign of Henry the Third, and their estates passed into the family of the Earls of Warwick. The junior branches were numerous, and were established at Chislehampton, in Oxfordshire, and Shottisham, in Norfolk. Wace calls the name "Oillie," and in the *arrondissement* of Falaise there are several communes called "Ouillie," but these barons seem to have come from Ailly, near Coulibœuf.

Vassy is a small village three leagues from Vire, and the name of the barons of Vassy still continues in that district. Some antiquarians have supposed that they descended from the Dukes of Normandy, through Archbishop Robert, son of Richard the First. But it is objected to that lineage, that the chroniclers who have spoken of Raoul, do not mention a Vassy, but a Gacé, the second son of the archbishop, and his posterity

became extinct at the first generation. It is, however, certain that Robert and Ives de Vassy, (in English orthography, Vescy,) were present at the conquest. The former received from William the lordship of Baulebrook, in Northamptonshire, with several others. The latter, Ives, married the heiress of the baronies of Alnwick, in Northumberland, and Malton, in Yorkshire. His son-in-law, Stephen, assumed his name, and founded the abbey of Alnwick, in the reign of King Stephen. He and his descendants made a distinguished figure at the courts of the English sovereigns down to the reign of Edward the First, when the family became extinct, and their possessions passed into the house of Clifford. There is a Viscount Vescy in Ireland, but they neither belong to the English nor the Norman stock.

Colombières and Asnières are both in the *arrondissement* of Bayeux. The two barons of these names, mentioned by Wace, are cited in a charter of 1082, made in favour of the *Abbaye-aux-Dames*, of Caen, though the lord of Asnières is therein styled Raoul, while our author calls him Robert. In *Domesday Book*, we meet with Ranulph de Columbels, as proprietor of several manors in Kent. There are no traces of the family of Asnières in England.

The Lords of Cahagnes and Tournières came, the former, from the *arrondissement* of Vire, the latter, from the *arrondissement* of Bayeux. The former figure among the benefactors of the abbey of Lewes, in Sussex, and the latter, styled Richard de Turneriis, is mentioned in the foundation charter of the priory of Kenilworth, in the reign of Henry the First.

Hugh de Bolbec was one of the vassals of Walter Giffard, lord of Bolbec and Longueville. He received thirteen manors from the Conqueror. The elder branch of this family terminated with a daughter, in the second generation. The younger, which founded the abbey of Blanchelande, in Northumberland, existed to the reign of Henry the Third.

Richard de Bienfaite, son of Gislebert, Earl of Brionne, and eldest brother of Baldwin de Meules, received Orbec and Bienfaite from William, in compensation for a part of his patrimonial inheritance, which was alienated during his minority. This baron espoused Rohais, daughter of the first Walter Giffard. He was grand-justiciary of England with Walter de Warenne, and contributed powerfully, in 1073, to quell the dangerous revolt of the Earls of Hereford and Norfolk. He was created Earl of Clare, in the county of Suffolk, and possessed, in addition to other lordships, the castle of Tunbridge, in Kent, which was his chief residence. This powerful lord died in 1090. His descendants were, in different branches, Earls of Clare, Hereford, Gloucester, and Pembroke.

Trégoz is in the *arrondissement* of Saint-Lo. The ruins of the old castle are still visible, at the confluence of the Vire and the rivulet of Marqueran. The lord of this district, who fought at Hastings, is mentioned in the list furnished by the *Brompton Chronicle*, under the name of Traygod. His successors were among the benefactors of the abbey of Hambye, one of whom signed the charter of its foundation, in 1145. Their chief residence in England was Ledyard-Trégoze, in Wiltshire. Robert de Trégoz was sheriff of this county in the reign of Cœur de Lion, and one of the bravest warriors of that age.

Montfiquet is a commune on the road from Saint-Lo to Bayeux, to Cerisy. The ruins of the old castle are yet visible. Gilbert de Montfichet is one of the most clearly defined characters of those who were

present at Hastings. One of the fortresses, erected to keep the Londoners in check, was committed to his governorship, and was called by his name. His son, William, married a grand-daughter of Richard de Bienfaite. He gave large donations to the abbey of Cerisy, and his family founded the priory of Ankerwike and the abbey of Stratford. They held a distinguished rank, and filled important offices, down to the reign of Henry the Third, when the estates were divided among three heiresses.

Roger Bigod, or Bigot, who accompanied the Conqueror, received large grants of land in Essex and Sussex. When Henry the First ascended the throne, Roger became one of his four principal counsellors, and treasurer to his household. He died in 1107, at an advanced age, and was buried in the priory of Thetford, which he had founded four years before his decease. Wace says, that he held the office of seneschal, but he here confounds the father with his second son, William. The eldest, Hugh, succeeded his father as treasurer, and was created Earl of Norfolk, or, to speak with greater accuracy, Earl of East Anglia, by the successor of the first Henry. His descendants preserved the title of Earl of Norfolk, till the close of the thirteenth century, when the family became extinct.

Haie-du-Puits is in the *arrondissement* of Coutances. The lord of this barony, at the date of the conquest, was Raoul, seneschal of the Earl of Mortaigne, and father of Robert de la Haie, a cotemporary of Henry the First. Raoul seems to have been the son of Hubert of Rye, to whom was entrusted the governorship of the castle and county of Nottingham, and who is frequently mentioned in *Domesday Book*. It is certain that Robert de la Haie was nephew of Odo the Dapifer, another son of Hubert of Rye. This Odo the Dapifer has been frequently confounded with Odo, called Odo au Chapeau, son of Turstin Halduc, or Haldup, one of the founders of the abbey of Lessay. This error may be traced back even to Ordericus Vitalis, who wrote in the twelfth century. In addition to other grants, Robert de la Haie received the lordship of Halnac, in Sussex, in the reign of Henry the First, and founded the priory of Boxgrave, a dependency on the abbey of Lessay. The name of his wife was Muriel, not Mimel. They had two sons, Richard and Raoul, the former had an only daughter, who carried the estates into the family of Saint-John. In the war between Stephen and Geoffrey Plantagenet, Richard de la Haie, who commanded at Cherbourg for the King of England, was seized by pirates, and his brother Raoul was obliged to surrender his castles in the Cotentin to the Earl of Anjou. These events belong to the years 1141 and 1142. Richard de la Haie, son of Raoul, founded the abbey of Blanchelande, in Normandy.

Roger de Montbray, brother of Geoffrey, Bishop of Coutances, and father of Robert de Montbray, (anglicé, Mowbray,) inherited from his uncle two hundred and eighty manors, which the Conqueror had bestowed on him for his military aid; for, as Ordericus Vitalis says of his prelate, he was more skilled in training soldiers for battle, than clerks for the service of the church. In 1092, Robert forfeited this immense property, together with the county of Northumberland, and died after thirty years of hard captivity. Not only did the estates, but even the name of this opulent baron, as also his wife, Matilda de l'Aigle, pass into the family of D'Aubigny. The site of the old castle of Montbray is near the market town of that name, situate on the boundary which separates the departments of Calvados and La Manche.

Say is near to Argentan. The lords of this district took the name of

Picot, and they are indifferently spoken of by the old chroniclers as Picot simply, and Picot de Say. In 1060, Robert Picot de Say, Adeloyse, his wife, Robert and Henry, their sons, Osmelin de Say and his wife Avitia, gave large donations to the church of St. Martin, of Seez. These barons were vassals of Roger de Montgomeri, holding from him both in England and Normandy. Picot de Say figures in Domesday Book, as tenant to Montgomeri of twenty manors in Shropshire. He was one of the barons summoned by Roger, in 1083, to attend at the foundation of his abbey of Shrewsbury. A Picot, of Cambridge, is mentioned in Domesday Book as the founder of the priory of Barnwell. The descendants of Picot de Say branched out into several families, one of which formed an alliance with the Mandevilles, and transmitted their united successions, with the earldom of Essex, to the Bohuns. In Normandy, William de Say married Agnes, daughter of Hugh de Grentemesnil. In 1131, Jourdain de Say founded the abbey of Aulnay, near Caen. His heiress, Agnes, carried the estates into the family of Hommet, by her marriage with the constable Richard de Hommet, who was the protector of the rising abbey of Aulnay.

William de la Ferté is mentioned by Ordericus Vitalis, as one of the chiefs of the Norman army in Maine, in 1073. This is probably the person to whom Wace alludes, and who was Lord of Ferté Macé; for Hugh, the second of that name, took the frock in the abbey of Saint-Ouen, at Rouen, before the conquest, and left no issue. And, as to Ferté Fresnel, Ordericus Vitalis positively says, (lib. xii. p. 850,) that it was not founded till 1119, and by Richard Fresnel.

The next baron, mentioned by Wace, is Botevilain, of whom no very distinct record remains. We might, at the first glance, confound him with the Lord of Boutteville, near Sainte-Marie-du-Mont, who certainly fought at Hastings, but this would be an error. The name of Boutteville appears in the Battle Abbey list, and that of Bouttevillein, in the Brompton Chronicle. Independently of this, it is certain that the Bouttevillees established themselves in the counties of Somerset and Bedford, whereas the estates of the Bouttevilleins were in Northamptonshire. William Boutevileyn founded, in 1143, the abbey of Pipwell, which was grossly plundered by his grandson, Robert Boutevileyn. William Bouttevillein, of Cotesbrook, was one of the benefactors of the abbey of Sulby, in Northamptonshire.

The name of Troussebot, mentioned by Wace, also figures in the Battle Abbey list and the Brompton Chronicle, so that some one of that name must certainly have been at Hastings. The origin of the family is, however, very obscure, and this is to be accounted for from the fact of their being of very low rank at the date of the conquest, and under the two first kings of the Norman line. We learn from Ordericus Vitalis that they were among the *novi homines*, whom Henry the First aggrandized, to the prejudice and discontent of the ancient nobles. William Troussebot, probably the son of the former, commanded at Bonneville-sur-Touques, for King Stephen, in 1138, and distinguished himself by repulsing the invasion of the Earl of Anjou, who was compelled to retreat to Falaise. In 1132, Geoffrey Troussebot had founded the monastery of Wartre, in Yorkshire. The family are eminent in the Norman Rolls; Nicolas Troussebot descending from the Earls of Montfort, and Geoffrey, from the chatelains of Gavray.

It was not Hugh de Mortemer who fought at Hastings, as Wace relates,

but his father, Raoul, son of Roger, lord of Mortemer-sur-Eaulne, and brother of the first William de Warenne. Wace seems to have been as ignorant of Roger as of Raoul, for he does not mention him in his recital of the battle of Mortemer, though Ordericus Vitalis positively affirms that he was one of the two chiefs of the Norman army. Although he was greatly instrumental in the defeat of the French, he fell into disgrace with the duke, was exiled, and stripped of his estates for having set at liberty, of his own accord, Raoul de Montdidier, one of the principal barons of the hostile army. But, shortly afterwards, he was restored to favour, when the duke gave him back all his property, except Mortemer; this estate, however, did not go out of the family, for the duke presented it to William de Warenne, his brother. It was at the request of Roger, and through his benefactions, and those of his wife, that the priory of Saint-Victor-en-Caux was raised to the rank of an abbey, in 1074.

Raoul, son of Roger, recovered the estate of Mortemer, and contributed largely, both from his English and Norman estates, to enrich the abbey of Saint-Victor. He also founded in England the priory of Wigmore. In 1089, he was one of the principal barons who took part with William Rufus against Robert Courte-Heuse. In 1104, he joined the party of Henry the First, when he arrived in Normandy. William the Conqueror bestowed on him large possessions, among others, the castle of Wigmore in the county of Hereford, which district his personal efforts had mainly subdued. From him descended the Mortimers, Earls of Marche. In Normandy, Jane de Mortemer, about the middle of the thirteenth century, conveyed the estates of this family, and the barony of Varanguebec, into the house of Bec Crespin, by her marriage with William Crespin, fifth of the name, and a marshal of France.

There are two communes in Normandy called Auviler; the one is situated in the arrondissement of Pont l'Évêque, the lords of which were allied to the family of Tournebu; the other is contiguous to Mortemer-sur-Eaulne. The person alluded to by Wace probably came from this latter district, and may have been a military vassal of Mortemer, noticed above. In the Norman Rolls, we find Henry D'Auvilliers among the knights of the bailiwick of Rouen, in 1271. Hugh d'Aviler was one of the vassals of Robert Malet, of Suffolk, and his name appears among the benefactors of the priory of Eye, in that county, in the reign of the Conqueror.

Asnebec is near to Vire. We do not think that this person had any particular lordship at the date of the conquest, but that Asnebec then formed part of the estates of Robert-Fitz-Haimon; whose father, Haimon-aux-Dents, was killed at the battle of Val-des Dunes. Margaret of Gloucester descended from this Asnebec, conveyed the estates by marriage into the family of Harcourt at the close of the twelfth century.

Saint-Clair is in the arrondissement of Saint-Lo. The remains of the old baronial castle are still visible near the church. The name of Saint-Clair figures distinctly in the Brompton Chronicle, and, though greatly defaced, may be traced in the Battle Abbey list. William Saint-Clair endowed the abbey of Savigny, in the reign of Henry the First. In 1139, the priory of Villers-Trossard was founded by a person of the same name. The Saint-Clairs formed establishments in England, but it is now changed to Sinclair.

Robert-Fitz-Erneis was nephew of Raoul Tesson, the first of that name, and cousin-germane to Raoul the second, enumerated by Wace

among the Norman warriors. This Robert was son of Erneis (whose name became patronymic with the junior branch of the house of Tesson) and Hacvise, sister of Fulk-d'Aunou. He himself married another Hacvise, and was slain at Hastings, as is proved by a passage in a charter granted by his son : *Eodem verò patre meo in Anglia occiso. Gall. Christ. xi. instrum. col. 334.* The family received no lands in England at the division after the conquest, but they afterwards acquired some property there, probably by marriage.

Robert, Earl of Mortain, was uterine brother of the Duke of Normandy. After the new king, he received the largest portion of the English spoil, there being allotted to him nine hundred and seventy three manors in eighteen different counties. He was present at the death of the Conqueror, and, by his entreaties, obtained the release of their brother, Bishop Odo, from prison. He himself died in 1090, and was buried at Grestain, an abbey founded by his father Herlouin, and greatly enriched by his donations. He also founded the collegiate church of Mortain, in 1082. He married Matilda, daughter of Rogcr de Montgomeri. We shall have occasion to speak afterwards of his three sons. His three daughters were married to Andrew Le Vitré, Guy de Laval, and the Count of Thoulouse.

Wace mentions Errand de Harcourt among those who fought at Hastings. There is a noble family of this title in England, bearing the same arms as those of Normandy, with the same device : *Le bon temps viendra.* The English genealogists have invented an apocryphal filiation, in order to fix their arrival in England at the date of the conquest. With this object in view, they have created a Gervase, a Geoffrey, and an Arnold de Harcourt, all three of whom they represent as having been engaged in the battle of Hastings. But the whole statement is untrue. La Roque says that it was Raoul, second son of Robert, himself second baron of Harcourt, who, having attached himself to the party of King John, quitted France, and became the stock of the Harcourts of England.

Crèvecœur-en-Auge is in the arrondissement of Liseau. The barons of Crèvecœur established themselves in England, and the family was divided into two branches in the reign of Henry the First. That of the barons of Redburn, benefactors of the priory of Bolington, lived in Lincolnshire. The other line, established in Kent, had for their chief Robert de Crèvecœur, who founded, in 1119, the priory of Leeds.

Driencourt is the modern Neufchâtel. The name was changed when Henry the First there built the castle. There exists no authentic record of the lords of Driencourt. La Roque speaks of Hugh, lord of Neufchâtel, who, in the twelfth century, married a daughter of Robert, earl of Meulan; but he confounds Neufchâtel in the Saônis with Neufchâtel in Bray.

There is no such name in Normandy as Briencourt, which Wace probably used to suit his rime. We may conjecture that he intended Brucourt, in the arrondissement of Pont L'Évêque. The first baron of this name, who can be traced by authentic documents, was Robert de Brucourt, who flourished in the middle of the twelfth century, and confirmed the foundation of the priory of Walsingham, the charter of which had been granted by Geoffrey de Fervaques. About the same epoch, Gislebert du Brucourt gave to the abbey of Val-Richer large estates in the vicinity of Fervaques.

Combray is near to Harcourt Thury. Roger de Combray figures among

the benefactors of the priory of Sainte-Barbe-en-Auge, and Geoffrey and Raoul de Combray among those of the abbey of Fontenay, but at a date much posterior to the conquest.

There are four communes in Normandy called Aulnay or Aunay. We have already seen that Aulnay near to Caen belonged, in the twelfth century, to the lords of Say. It is difficult to decide from which of the other three came Berenger de Alneto, who attested the foundation charter of the abbey of Aumale, in 1115;—Herbert de Alneto, a cotemporary of Henry the First, who witnessed two charters of that monarch; and Roger de Alneto, who seems to have been a relation of Gondrée de Gournay, wife of Néel d'Aubigny, and who became a monk at Bellaland. Many persons of this name are mentioned in the *Monasticon Anglicanum*.

There exist in Normandy nine communes of the name of Marmion. The one alluded to by Wace is that of Fontenay, near to Caen, and called, for distinction's sake, Le Marmion, from the name of its ancient lords. The Marmion, who fought at Hastings, was called Robert, and not Roger, as Wace inaccurately states. The name of Roger Marmion does not appear before the reign of Richard Cœur-de-Lion, when he signed the charter in favour of the abbey of Grestain. It is also certain that Robert Marmion received from William the town and castle of Tamworth, in Warwickshire. After having expelled the nuns of Pollesworth from his estates, he invited them back again, so that himself and his wife Milisenda were regarded as the second founders of this convent. The family of Marmion possessed, during several generations, the estate of Scrivelsby, in Lincolnshire, to which was attached the privilege of being the king's champion on the day of the coronation, challenging to combat all who might dispute his title to the throne. English genealogists date the gift of Scrivelsby from the conquest, but this is fully contradicted by Domesday Book. Robert Marmion, son or grandson of the preceding, sided with King Stephen, and his castle of Fontenay was taken and razed to the ground by Geoffrey, earl of Anjou. He himself perished miserably in 1143, after having desecrated the church of Coventry, in converting it into a fortress. A third Robert Marmion founded the abbey of Barbery, in 1181. The family existed in England to the reign of Edward the Third, when the estates passed by marriage to the Ludlows, then to the Dymokes, who still hold the manor of Scrivelsby, and exercise the championship at the coronation.

William Bacon du Molay, in 1082, gave large donations to the abbey of the Holy Trinity, at Caen, in which his sister had taken the veil. The first English baron of this name on record is Richard Bacon, nephew of Ranulf, earl of Chester, who founded a priory in Staffordshire. From this stock some presume that Lord Chancellor Bacon descended, but his own family trace themselves from a Grimbault, a cousin of William de Warenne. They maintain that it was a great grandson of this Grimbault who took the name of Bacon, in Normandy. Jane Bacon, a very wealthy heiress, conveyed the estates of the barons De Molay into the families of Briquebec and Luxemburg, about the middle of the fourteenth century.

Alain-le-Roux, son of Odo, earl of Brittany, rendered powerful assistance to William in the conquest of England. He received, in recompense of his services, four hundred and forty-two lordships, and the title of Earl of Richmond, the castle of which name he built in Yorkshire. He died without children, and was succeeded by his brother Alain-le-

Noir. Wace does not mention their brother Brient, who was at Hastings, and who, in 1068, repulsed the invasion of the two sons of Harold at Exeter. Alain-le-Roux commanded the Norman army in Maine, after the departure of the king, in 1085, and died in the reign of William Rufus.

Bernard de Saint Valery sur Somme was grandson of Richard the Second by his daughter Papia, and consequently cousin-germane of Duke William. We have already seen that the invading fleet sailed from his harbour of Saint Valery. Dieppe did not then exist as a port. A branch of this family was established in England. In Domesday Book we find Ranulf de Saint Valery, proprietor of domains in Lincolnshire, and several others of that name, one of whom, Bernard, son of Ranaud, died at the siege of Saint-Jean-d'Acre. Walter and Bernard de Saint Valery took part in the first crusade.

Robert, earl of Eu, was grandson of Richard the First, and consequently uncle of Duke William. We have already noticed this baron as distinguished among the Norman chiefs at Mortemer. In 1059, he founded the abbey of Treport. He received a large share of the English spoils. In 1069, he was most active in repulsing the Danish invasion. After the death of the Conqueror, he attached himself to the party of William Rufus, and remained faithful to his cause.

This closes the account of the list furnished by Robert Wace of the Norman barons who fought at Hastings. *(To be continued.)*

THE HERMIT'S PAPERS.—No. 7.

OUR REFORMED CHURCH :

WITH BIOGRAPHICAL SKETCHES OF SEVERAL PURITAN DIVINES.

What blustering Boreas raised these stormy windes
Which blew down churches! ELIJAH AWN.

NO. 1.—OUR CHURCH'S THREE PHASES.

THE compiler's object in the following rude attempt to rescue a most interesting theme from the sneers of bigotry and the false colouring of partizanship, is rather to clear the path for others than to assume the character of a guide. He regrets that some less unqualified artist had not tried his hand on so difficult and delicate a picture; but, when the lines are traced, the wastes of this rough map will appear, and invite the attention of more fortunate surveyors.

The history of *our* Reformed Church ascends no higher than the dynasty of the Tudors: yet, there is something implied in the stress laid on the possessive pronoun. It affords a fair opportunity for hazarding a remark or two on the NATIONALITY of our institutions.

Though so recently reformed, the church of these isles may be contemplated ethnographically; that is as a Gallo-British, a Norman, and a French Protestant establishment. Some of our readers are possibly not aware that the intercourse between Jersey and Anglesey, the royal retreat of Caswallon-Law-Hir, was, at one time, most intimate. The flight of the saints of the third family, uncles and cousins of two young pretenders of the house of Mordred, led to the conversion of our ancestors. To dwell a little on a circumstance that strikes the fancy, might seem a digression: it is, nevertheless, rather a prelude to our main topic than a deviation from the avenue that leads to it. Again, the mind that delights in tracing the silent inroads of right over might, and intellect over authority, must wonder at the very slight prominence which the grand anti-papal and anti-despotic religious movement of the Gothic and German races, three centuries ago, occupies in the voluminous quartos of insular annalists. The spring of that leap onwards is still oscillating; and it is of too tough and elastic a nature to snap.

Of the three periods alluded to, corresponding to our church's three national phases, the first, or British, might be termed ascetic and congregational; the second, or Norman, embodies the mediæval spirit of monastic feudalism; the third, or French reformed, appears under the questionable, yet imposing, aspect, of a federal union between provincial grandes or municipalities and representative elders of a spiritual commonwealth; its watch-word is 'The Bible its own interpreter.'

Strong faith; practical but formal piety; miracles and visions; and that austere want of forbearance which dim religious light invariably fosters, discover the initial and incomplete rudeness of the first mould. To build cathedrals and ornament shrines; to glide in slow processions and make long prayers; to multiply prohibitions and observances; to wrestle with and subdue principalities and powers; to secularise the church and enslave the people; are fairly reckoned among the demerits of the second epoch: it had, for all that, its Hildeberts, its St. Bernards, and its Peter de Blois—to whose lives and writings fancies, over anxious to confound general with universal blame, are referred, by way of precaution. As to the third age—the period of our spiritual ancestors, or French Presbyterianism—there is much to admire, more to extenuate, and something to regret. Whether viewed in its theological, political, or moral and intellectual relations, the first reformation is but an argument for the second. Efforts at disenthralment from every fetter by the Goliaths of the day were made, it is true; still, the success was but partial. Who, moreover, does not recoil, with something akin to disgust and incredulity, at the thought of such unearthly clients as a Merlin, a Cartwright, or a Bradshaw, on a list of a Lesdiguières or a Leicester's retainers? Mornay's two treatises (one on the truth of Christianity, the other on the traditional doctrine of the real presence) are instances in point of that carelessness and looseness with which some of our fathers argued sometimes against the infidel and the romanist;* bibliographical science was still in its cradle, we confess; yet a little less forwardness to heap up testimonies and leap over clauses, would have secured a fair and easy triumph. Our church militant might likewise have been too military for the tranquil offices of devotion. The fervour of dispute might have cooled the ardour of her prayers; but controversy was then a duty. We know no repertoires of hugonotic literature more vividly retaining the genuine impress of that style of mind—half sermon and half epigram—in which the French minister far excelled his English puritan competitors—than in Jean De Serres' cumbersome 'inventaire,' and in the lively, though tragical and disastrous, narratives of honest Jean De Léry.† But a divine more profound than Calvin, or a scholar better armed at all points than his disciple Theodore, never arose in christendom.

In every chronicle that opens with 'Quexavas lo poble Hebreu,' the lamentations of the Hebrews, or, what is finer still, with the creation of the world,‡ memory ought to travel as fast as ever she can through her fore-ground of mist and chaos. Let us therefore dispatch, in as few words as possible, the little we have to say of nationalities, faintly, if at all, remembered.

It almost requires an effort of imagination, enamoured as it is with the shifting scenery of this world, to think of England and France as the colonies of a motley rabble of nations. Each spoke its own tongue, followed its own customs, believed its own creed, and chose its own law. In Italy, where, for reasons so clearly stated by Macchiavelli,|| the process of amalgamation was extremely sluggish; every individual arrived at years of discretion was obliged to 'profess'—that is to select from the list of national codes that which pleased them best. From that moment it became the rule of the professor's life,§ whether Neustrian or Austrian,¶ Roman or Greek—Italian, Herulian, Goth, Frank, German, Slavonian or Bulgarian. Now, whoever looks around him in any province where English is spoken, will see people of one tongue divided into denominations instead of nations—all tending, perhaps, to some analogous end in the process of civilization.

* Mornay's opponent, Cardinal Du Perron, was a protestant by birth, and the son of a refugee to Jersey. See a long passage in Mornay's 'Vérité,' chap. 32, in which, as Van Dale justly remarks, 'errores super errores cumulat.' Both 'L'Eucharistie' and 'La Vérité,' formed part of the library of our maternal ancestor, Paludanus—of whom more hereafter.

† Le Siege de Sancerre, notwithstanding its horrors, is a little book above all praise.

‡ Thus commence the *Prolech* and first book of Dr. Pujades' Chronicle of Catalonia, *penes Eremitam*.

|| La Chiesa ha tenuta e tiene questa nostra provincia divisa. Everamenta alcuna provincia non fu mai unita, o felice, se non viene tutta alla ubbidienza d'una repubblica o d'un principe! Macchiavel Discors. l. 12.

§ The house of Este professed Lombardism.

¶ Italy, as well as France, had its Neustria and Austria.

When King Athelstan, fresh from the conquest of mountain-warriors whom the Low-German Easterling invidiously called Welsh—that is strangers—though once the only proprietor of the soil, honoured good old Rollo with a visit, the British church and colony of Avranches were still the same over which the saints Leucian and Paternus—St. Sampson's neighbours and friends—presided as bishops almost thirteen centuries ago.* A chief, whose name leaves a rather ludicrous impression on an Englishman, Caw of Anglesey, the father of 'the third holy family of Britain,'† St. Sampson's uncle, and the father-in-law of Mordred, King Arthur's nephew, had settled in ancient Mona, about the year 500;‡ one of his sons, Piro, abbot of Bacchan Isle, was the tutor of his cousin Sampson; another, Gildas the historian, whom his admiring countryman, surnamed 'the Wise,' cultivated the rocks of Rhuis' near Vannes, where he died in 571; and a third, Malo of Lan Garmon, died Bishop of Alet, near the future St. Malo's.¶ How gracefully these obscure trifles account for the grant of certain diminutive 'isles of the Gentiles,'—a cluster of islets near the 'pagus Constantinus,' and in what was to be St. Michael's bay, to St. Sampson, once Bishop of St. David, and at that time 'national' or 'regional Bishop of the Gallo-Britons,' A.D. 557.¶ This reluctance of nations to coalesce, overlooked, at every step, by students of the swift and swallow tribe, explains many other phenomena. For instance, the Britons of La Manche will have naturally preferred King Solomon to King Charles, so that the cession of Le Cotentin to the former, in 867, was almost an act of supererogation.** How many, again, blunderingly misquote the appendix to the Chronicle of Fontenelle; forgetting that Geroald was sent by King Charles the Great, with a parcel from the reliquary of St. Vandrille, to the 'Amwarydh' or Defender of Jersey, for the purpose of swearing that refractory duke! That very year, 787, all the other dukes of Brittany were sent for the same purpose to the shrines of the Neustrian saints; and the good monk assures us that the islanders were 'gens Britonum,' of the British race or family.†† Hence the cession by King Raoul, the Duke of France's brother, of this mysterious 'land of the Britons,' to William Long Sword, the Norman, in 934;‡‡ and the people of Constantine's revolt under Earl Riulfus,§§ the Dane—William's murderer—two years after.¶¶ The latter slips of the Carolingian oak, transplanted from England, had scarcely any demesne left them to grow in: a coin found in this island bore the superscription of one of the ancestors of the Capets, 'Robert Duke of France,' about 920. Let us now say a few words on the mental culture of those two near relatives—the Briton and the Gaul.

A comparison of nations (such as our theme requires) in their spiritual, moral, and intellectual aspect, would be difficult and might seem invidious. Yet, whoever reads for the sake of reflection, need not be told that, in the fifth century, Gaul was the point of the compass from which the wind of civilization blew. Vincent of Lérins, Faustus of Rheiz, and Salvian of Marseilles, are almost graceful writers; and the vigour and terseness of their style convince you that their habits of thought were logical and profound. Turn from them to poor Gildas the Wise, and you lose all patience in a wilderness of Welsh prose run mad, conjured into execrable Latin. When solemn disquisitions on easter-reckonings, and the orthodox style of shaving a thick skull in the western church's back settlements, might have been spared by the Godwins, the Bales of Ossory, and the Stillingfleets, had they and Calderwood just remembered that this silliest of all quarrels between the German and the Briton, the invader and the invaded, was a dispute for that curse of modern states, *nominal*ly religious 'ascendancy,' between two races, rather than a controversy for the faith, between two churches. Ricemarch of the black book—to whom Bishop Burgess so perpetually appeals—admits that St. Oudoc, of Landaff, was ordained by the *first* Archbishop of Canterbury!§§

A little fact is humorously enough slipped over by the discoverers of Protestantism in Irish bog and Welsh mountain dell, thirteen centuries ago; namely, that

* Vita Aldhelmi a Gul. Malmesb.—Note in Pritchard's 'Physical History of Man.'

† Triads.

‡ Rowlands. *Mona Antiqua*, 188.

§ *Anglia Sacra*; Usser. *Antiq. Brit.*; Act 55. *Patr. Benedict*, &c.

¶ *Labbé Council. adan.*—*Argenté His. de Bret.*

** See in Sismondi a curious letter from a pope to this pagan king.

†† *Libre de Miraculis S. Vandregisillii*.—For this often misquoted fragment, we are indebted to one of our earliest and most valued friends, Monsieur le Conseiller de Filleau, of Poitiers.

‡‡ Compare Fauchet, Mezerai, Jeremie.

§§ *Dudo. lib. iii. Sub initium*.

¶¶ *Missus est St. Oudocus cum Clericis suis predictis. . . ad Dorobernensem civitatem ad beatum Episcopum, ubi sacratu est. Lib. Nig. Landav. MS.*

St. German of Auxerre, the avowed reformer of Britain, prayed for the dead, worshipped relics, invoked departed saints, and, worse than all, put away his dear wife.*

Of the English nation it is impossible not to speak glorious things. One is astonished at their superiority at every period, and in almost every department. How soon the Low-German and Frisian colonists might have pointed at a Bede, a Cedmon, an Egbert, an Albinus, or an Alfred, as more than competitors for the literary fame of our French Otfride, Hinomars, Agobards, and Charlemagnes!

If, however, we limit our enquiry to doctrine, the Gallican church's earliest divines will surely disappoint us. Take, for example, St. Cæsarius of Arles; he was the contemporary of Clovis, the German invader, New France's 'most Christian king.' In this prelate's neat little homilies some very delightful passages occur, and, among others, the following: 'Whenever, my dear brethren, we recommend what is for your soul's profit, pray do not attempt to excuse yourselves by saying, I cannot read, or I have no time to spare on books. Idle and worthless excuses, dear brethren! He who cannot read must provide himself with one who can read for him the book of God—nay, if needs be, he ought to hire a reader at his own expense, after the example of those illiterate merchants who grow rich by procuring the assistance of able clerks.'—Thus far this great prelate. Now, in the course of our humble studies, we have ascertained that some hundreds of Protestants, like Cæsarius, are manufactured out of *parings* like these. But, as we read on, we detect the trick. Some slippery paragraph occurs about 'purgatory,' a place for the expiation of 'little sins,' of which the saint produces a catalogue as long as his arm.†

As to the piety of the Normans, we are bold to say that there was nothing peculiar in it. Robert of Gloucester speaks of 'the high men whom in church ye might see kneel to God, as if they would all quiek to him flee, and then rise; but as soon as they had turned their backs on the church, these lambs in appearance became wolves in deed.'

Why then seek for origins that are empty shadows? The puff of equivocating polemicists created those air-bubbles which the puff of criticism destroys. Our only spiritual fathers, next to the apostles, are the Bible Christians of Wittemberg, Zurich, Geneva, England and Scotland; nor is it high treason to suppose that the Cartwrights and the Bradshaws of Castle Cornet, were far better divines than the Germans of Auxerre; the Sampsons of Dol; Leucian and Paternus; Béor and Lauto; Hélier and Baruch.

Claiming the indulgence of our home-loving readers for this somewhat desultory introduction, the compiler hopes that few of his rambling paragraphs do not involve some moral, great or little. Time and reflection have unfitted him for the vehemence of controversial dialectics; and, notwithstanding his own private scruples, he disdains to rob the admirers of the primitive age's 'voluntary system' of a disclosure not to be met with everywhere. 'The vicar of Jesus Christ,' and 'servant of the servants of God,' as he styled himself, one Pope Paschal the Second, very nearly became, of his own accord, the head of a church without one loaf or one fish; for he actually proposed to give up to the emperor all the estates, regalia, &c., of all the churches of the west. Here then is an orthodox precedent with a very long beard, seven centuries old.‡

In our future numbers, *nous tournerons moins autour de pot*—as the saints are now dead and buried. An historical ballad, the last in our first series, is omitted from want of space.

THE POWER OF THE IMAGINATION.—A TALE OF JERSEY.

How strong is the power of the imagination, and how often do we find that a truth which reason recognizes, becomes involved in the midst of errors, which not only deface it, but rob it of a great share of its pure efficacy, and is succeeded and replaced by superstition! It is well when knowledge is made the handmaid of the speculative reason, and when

* Vita S. Germani per Constantium ejus Presbyterum.

† Bibl. Patr. t. ii. col. 614.

‡ Patr. Diacon. Chronic. Casin. iv. 36.

the imagination does not intrude her vanities, and disfigure the beauty of truth. Many have been the fearful results of a deluded imagination; and the following tale will but add to the number of cases on record.

Some time ago a woman, whom I shall call Molly, removed to a country parish, and there endeavoured to gain an honest livelihood as a journeying woman. She is about forty years of age. She worked at several houses—at one in particular, belonging to an unmarried and good woman, who had living with her a young female friend—an orphan—to whom she had really proved a friend, in childhood, in infancy, in youth, in expanding maturity—which indeed this young maiden required, for she had lost her parents when a child, and her kind friend had taken her under her protection and care, and had continued to do so. They lived together alone and in happiness; assisting, solacing and relieving each other. The younger of the two—that unfortunate being—was about twenty-two years old. She had a small income—small indeed—but which, added to that of her guardian protector, was sufficient for them, “whose wants were all confined,” to live comfortably without luxury, except that luxury which springs from a pure heart and overflowing sympathy; and, at the death of the old lady, the younger would probably have inherited her property. At their house, Molly was often employed as a charwoman. From what kind of fascination I know not, nor from what hidden cause, a strange kind of friendship arose between the young woman and Molly. The infatuated feelings, after a time, became deeper: a contract was made between them in writing, signed by their hands, whereby—strange notion!—they gave themselves up to each other. It is difficult to understand this; the property of the one was to become that of the other, after death; but while they lived, whose was it? how were the engagements to be fulfilled? But Molly was probably actuated by motives of self interest; she perhaps hoped thereby to become an inmate with the family, for she was poorer than the other. The young woman, by a deluded phantasy, spoke not of this contract to her friends. She shewed it not, although she had it with her, for each kept a copy signed by them both. But regret and remorse ensued; she wished she had not “done the deed;” but this wish was unavailing; she “had signed the bond,” and there was no retracting. She attached an importance to it of which it was not deserving; she viewed it as something dark and mysterious. A melancholy habit of mind followed,—her thoughts were continually resting upon the subject; but she could not alleviate the burden of her mind: and in a moment when her spirits were highly agitated, she threw her paper into the fire and saw it consume. The waves of her anguish now became more tumultuous: she had sought for relief, but encountered despair. Her afflictions were more severe,—her mind more distracted. This was told to Molly; her reply, urged probably by anger at the apparent loss of her fair prospects, stung deeply; it was “she has burned her paper, and she shall die.” The friends of the young person to whom this was repeated, and who besides had learnt something of the contract, felt much compassion for the young woman and the keenest indignation against Molly. But what rendered their hate more ardent and seemingly more reasonable, was that the father of Molly—some years ago laid in the grave—had been a reputed wizard; and they believed his daughter to be a witch, and to have bewitched this poor deluded girl. They went to her house, abused and tormented her; she fled to law for shelter; the court laughed at the whole, and at the simplicity of the parties. But Molly was vexed and

irritated; and had she not reason to be so when undeservedly branded with the opprobrium of a witch, despised and abused as such? The young maiden became more desponding, and her friends more assured that this was occasioned by the evil influence of Molly. A change of air was thought desirable,—a trip to France was undertaken, but this proved useless. She returned in a weaker state of health—she pined away still—and, alas! her body is laid in the silent tomb, and the clod of the valley now covers her head.

Her body is at rest,—her soul in heaven.

WOMAN.

How beautiful is woman, in the prime
Of sportive youth, and health, and innocence;
When at the earliest dawn she treads the fields
And gathers the wild flowers, whose brilliant hues
Are only equalled by her blooming cheek!
How beautiful is woman, when at eve,
Deck'd with the brilliant gems and diamonds
Of Visapour, or of Golconda's mines,
She joins with pleasure in the graceful dance—
Or when she pours the soul of music forth
In sweetest melody, her bosom heaves
With tender, purest sensibility,
At the enchanting tale she warbles forth!
How beautiful is woman, when engaged
In nursing the fond offspring of her love,
When to her bosom pressed its little hand
Is playing sportfully, and as he smiles
She looks with pleasure round to meet the gaze
Of the fond father, who in ecstasy
Beholds in silence the endearing scene;—
But lovelier still is woman when beside
The sick couch of her husband or her child
She keeps the painful vigils of the night,
Anticipates each wish, and, though borne down
By long fatigue and fond anxiety,
Yet pours the balm of comfort to the mind,
And as a guardian angel hovers round
To aid and bless the objects of her love!
Dear, lovely woman! partner of our joys,
But dearer still as solace to our griefs,
Whose finer feelings and whose sympathy
Extend to all our sufferings and our cares—
Whose softening smile makes home a Paradise,
Whose fond embrace will chase our cares away,
And mellow down our anger into love.

Woman, I love thee.

A CORNUBIAN.

THE AGRICULTURE OF GUERNSEY.

FROM an accurate survey of the island, and from a report drawn up by Daniel De Lisle Brock, Esq., bailiff, and by him laid before the States, at the request of the lieutenant-governor, Sir John Colborne, on the 3d July, 1828, with the view of effecting a commutation of tithes, the surface of Guernsey may be stated at twenty-four miles square, or, reckoning 640 acres to the square mile, at.....15,360 English acres.
Deducting one-third for rocks, cliffs, and places not
susceptive of culture—and for houses, buildings of
all sorts, streets, and roads, say..... 5,120 „

There remain in, or fit for, cultivation10,240 English acres.

An island, whose surface thus consists of little more than ten thousand acres of orchard, garden, arable and pasture land, cannot be expected to afford a great variety, or any very enlarged system of agriculture. There are, however, circumstances connected with the tenure of property, its extreme subdivision, and productiveness, and with the numbers and comfort of the inhabitants, which may suggest useful reflections to the farmer, the political economist, and the statesman of larger countries.

The tenure of property partakes of the double nature of land held as a farm subject to the payment of annual rents, and of land held as freehold in perpetuity. A purchase may be made by the immediate payment of the price agreed upon, or by the payment of a part only, and converting the remainder into corn rents, to be annually paid; or, finally, by converting the whole of the price into such rents. In the last two cases, where a part or the whole of the price is stipulated for in annual rents, the purchaser is, to all intents and purposes, as much the proprietor, as in the first case where the whole price is paid down, and so long as the stipulated rents are paid, he and his heirs can never be disturbed, and hold the land as freehold for ever.

To the former proprietor, the rents are guaranteed by the land sold, and by all the other real property held at the time of sale by the purchaser clear of incumbrances; and the rents being transferable, and such property being always in demand, money can be raised by their sale with as much ease as it could before on the land itself.

"Thus, without the necessity of cultivating the soil, the original possessor enjoys the neat income of his estate, secured on the estate itself, which he can resume in case of non-payment; while the purchaser, on the due payment of the rent charged, becomes real and perpetual owner, having an interest in the soil far above that of farmers under any other kind of tenure.

"Experience has proved that, under this tenure, a spirit of industry and economy was generated, producing content, ease, and even wealth, from estates which, in other countries, would hardly be thought capable of affording sustenance to their occupants. And thus also arose two classes mutually advantageous to each other: the one living on its income, or free to exercise trade and professions; the other, composed of farmers raised to the rank of proprietors, dependant on their good conduct only.

"The faculty of acquiring land in perpetuity, without paying any purchase money, is undeniably proved to have been of infinite benefit to the people of this island; but it must be obvious, that this source of so much good could never have existed, and can no longer continue, without a corresponding security well guaranteed to the original proprietor of the land willing to part with it."

Subdivision of Property.—An idea of the extreme subdivision of the land may be formed by a reference to the last population returns, in 1831, by which there were 1748 inhabited houses in the nine country parishes, and 1728 in the town parish. As the latter extends into the country a mile south, a mile west, and a mile north, there are more than 252 houses of the town parish that must be set down as belonging to the country, and added to the 1748 houses of the nine country parishes. Reckoning, therefore, 2000 houses in the country, and dividing between them the ten thousand acres fit for cultivation, the portion is five English acres, or 12½ Guernsey vergées to each house.

This portion is not, of course, equally distributed; instead of five, many houses have only two or three acres attached to them, while some in each parish have twenty to thirty. An English agriculturist will smile at the calling of the latter, considerable estates, and on hearing that the exceptions where estates exceed thirty acres are extremely rare. If, indeed, a few do contain fifty or sixty, none beyond can be found. This will not appear surprising if we consider the small extent of the island, and its law of succession. Land cannot, by that law, be devised by will. The eldest son takes as his eldership, the house, and from sixteen to twenty perches of land adjoining on the paternal and maternal estates, if there be both—he is also at liberty to retain the land in the ring fence; that is, to keep posses-

sion of all lands to which he may have access without crossing the public road; but for such part of the lands as exceeds his own share, he must pay to his co-heirs the price put upon it by the constables and douzeniers of the parish in which the land is situated. With the exception of one-twentieth part of the land which is reserved for the sons, and out of which is taken the eldership, the real property is divided two-thirds among the sons, and one-third among the daughters; but, should their relative numbers give an advantage to the daughters, if a third were allotted to them, they would be bound to forego that advantage, and to share equally with the brothers.

Productiveness of the island.—The subdivision of the land, and the tenure by which a permanent interest in its cultivation is secured to the occupier, are sufficient to account for great production. Natural causes come also to his aid, arising from fertility of soil, mildness of climate, and the excellent manure which the sand and sea weed afford; to these natural causes may be added the excellent roads, which of late years give so much facility to the procuring of that manure, and an easy access, not only to the coast, but to and from every part of the island; and again, the labour and attention rendered necessary by the small quantity of land in each farm, and bestowed on every part of it, contribute largely to an increased production. Thus, the tethering of all cattle, the use of the spade, and the general culture of clover, lucern, parsnips, turnips, and mangel-wurzel, add wonderfully to the means of sustenance for all animals. In small farms alone, and among the wives and daughters of the occupiers, are to be found the superior care and economy requisite for the successful rearing and feeding of calves, pigs, and poultry, and for the general management of the dairy.

The rotation of crops, generally observed, gives two crops of wheat in five years, the usual course is parsnips, wheat, barley, clover, and wheat—the greater produce of wheat being after parsnips. If we compare our produce of wheat with that of England, we shall find that the average produce in England is stated by Arthur Young, Tull, and Cobbett, and the late resolutions of several agricultural meetings, at twenty-three or twenty-four Winchester bushels per acre.—Mr. Jacob, in his evidence before the House of Commons, reckons it at only twenty-one bushels. In Guernsey, the average produce may be reckoned thirty-three bushels. Mr. Cobbett, in his preface to Tull, says that on a trial in Hampshire between the broadcast and the drill husbandry, the produce was the same both ways, and did not exceed thirty-seven Winchester bushels of spirit wheat per acre, and this was in the best land, in a very favorable year, and with the most careful culture.—Now, in Guernsey, a neighbour of the writer of this article grew, in 1832, in a field of exactly two and a half English acres, one hundred and thirty-four and a half Winchester bushels, or fifty-four per acre. It is well ascertained that other farmers, both in Guernsey and Serk, have occasionally grown fifty-five bushels, and one respectable farmer asserts, that he once grew at least sixty Winchester bushels per acre.

The hay crops in Guernsey may be stated, in the uplands well taken care of, at an average, at three tons and a half English weight per acre—and they have been frequently known in the best land and in favourable seasons to be four tons and three quarters.

Field-roots for cattle are equally productive. Parsnips are no where grown with more success than in this island, and are probably, on the whole, the best root that can be cultivated. It is true that mangel-wurzel gives heavier crops, and is almost equally useful for milch cows, but for the fattening of stock of all kinds they are not to be compared to parsnips. The mode of cultivating the parsnip in Guernsey is well described by Dr. John MacCulloch, in his communication to the Caledonian Horticultural Society, in September, 1814. He is of opinion that it will form a material and valuable addition to the system of green crops, when it shall become better known; but it is chiefly on account of the power which it possesses of resisting the injuries of frost, that he points it out as an object of attention to the Society. "The produce per acre is considerably greater than that

of the carrot. A good crop in Guernsey is considered about twenty-two tons per English acre. This is a less heavy crop than turnip, but it is much more considerable than that either of the carrot or potatoe; and if we consider that the quantity of saccharine, mucilaginous, and generally speaking of nutritious matter in the parsnip, bears a far larger proportion to the water than it does in the turnip, its superiority in point of produce will appear in this case also to be greater. The allowance for fattening an ox is one hundred and twenty per day, exclusive of hay; it is found to fatten quicker than when fed with any other root, and the meat turns out more sweet and delicate. Hogs prefer this root to all others, and make excellent pork, but the boiling of the root renders the bacon flabby. The animal can be fattened in six weeks by this food."

Too much can hardly be said in favour of the parsnip, nor of the beef and pork fattened with that root. The meat sold in the Guernsey market about Christmas has no superior, and the late dean of the island, who was near ninety when he died, used to relate that, in his younger days, he was invited to dine at an Agricultural Meeting in Hampshire, where some of the party who had been in Guernsey, extolled the beef of that island; a dinner was betted, Guernsey against Leadenhall, and the dean was requested to send at Christmas a round and a sirloin from Guernsey—the opposite side procured the best that could be had in Leadenhall market. At the trial dinner, the superior excellence of the Guernsey beef was generally if not unanimously admitted. At this very moment, 10th January, 1834, there is in Guernsey market a porker of twenty-two months, weighing neat 733lb. English, which has never taken any thing but raw parsnips and sour milk. Finer meat was never seen. In the use of parsnips one caution is absolutely necessary; they are never to be washed, but to be given as they have been taken up from the ground—used in that way, they are found not to surfeit the hogs and cattle, and to fatten them better and quicker than they otherwise would do; if washed, they are apt to satiate, and will, the farmers say, never thoroughly fatten.

Upon the whole, the fertility of the soil, and the weight of the crops are undisputed; the superior quality of the cows, the excellence of the meat, milk, butter, and vegetables, is equally so. Let the production of the island be compared to that of any ten thousand acres kept in one, two, or three hands in Great Britain, and the advantage of small farms will be obvious. Independently of the two thousand families living in the country, compare the surplus produce sent to market, with the surplus produce of any ten thousand acres in one, two, or three hands elsewhere, and see on which side the balance will be found. Our ten thousand acres keep two thousand five hundred milch cows, which produce, one with the other, all the year round, five pounds of butter per week; this, at one shilling per pound, or its value in milk, amounts to £32,500, three quarters of which are sold in town. Five hundred and fifty cows are exported, and about that number of fat cows or oxen slaughtered—and besides, about five thousand porkers are either exported, or sold to the town. The quantity of vegetables, fruit, poultry, and eggs, brought to market, is prodigious, and one hundred thousand bushels of potatoes may be reckoned to be exported or distilled annually. The cider of the island is of the best quality, and from five hundred to one thousand hogsheads are annually exported. From all this it may be seen, that the produce is very considerable. In England, they break up all the small farms, depopulate the country, and then cry up the surplus produce, as if that produce, consumed by a vigorous happy race of yeomen, did not tend to the welfare of a kingdom as much as when carried to large towns to feed a miserable feeble population, living by the precarious returns of manufactures instead of the certain rewards of agriculture. Besides, the main fact upon which the sticklers for large farms rest their argument, is absolutely disputed; the surplus produce from large farms is not greater than it would be from moderately sized farms. There are larger estates in England than the whole of this island, but where will one be found that produces the same

quantity of provisions as is sent by the small farms of this island to market? Look at the hovels of the English and Irish; compare them with our cottages, and the effect of giving to the occupier an interest in the soil and dwelling will at once be seen—in this island that interest is permanent, in England and Ireland it is limited and precarious. The writers of the present day, on political economy, mention the subdivision of landed property in Ireland, as the principal cause of the poverty and barbarism of the Irish; it is not the smallness, but the uncertainty of the tenure, which is the cause of all the misery. The land is indeed subdivided, so as to barely suffice, even in potatoes, to sustain the occupier's family, and then the poor are made to outbid one another in the price at which they may obtain possession, and the term is so short, and the price so high, that the object of the occupier is not to improve the spot, but to procure a miserable existence for the year, by drawing from the land as much, and laying out upon it as little, as possible, without any regard to the improvement of the premises. The wretched state of the dwellings, and the distress of the inhabitants, are not, therefore, to be wondered at; they remain the same from year to year, and from generation to generation. Some parts of the country under the management of proprietors, and of farmers with long leases, are well cultivated, and wear the appearance of comfort; from these are produced the large quantities of grain, cattle, butter, and other provisions, which are annually exported, and mostly consumed in Great Britain. The great body of the people are little benefitted by these exports, and a year seldom passes without a famine, or a scarcity approaching to it, being experienced in one part of Ireland or the other, notwithstanding the export of so much produce which the starving people have no means of purchasing.

The causes of this misery and destitution are to be found in the want of employment for the peasantry, and above all, in the absence of all interest in the soil,—causes aggravated by the general use of ardent spirits of the most pernicious description that can be conceived. The obvious remedy is to give to the peasantry a permanent interest in the soil,—a permanent interest in the improvement, not only of the land, but of the dwelling and general premises—to render him sensible of the sweets of home, and to create in him a desire to retain their enjoyment during life, to impart the blessings and happiness of such a home to all that are dear to him, and to leave them unimpaired to his descendants—a permanent interest in such a home, and in the improvement of the land, would prove the best means of withdrawing him from the beastly habits of intoxication, and of elevating his ideas to the pure delight of contributing to the happiness of those about him.

The good to be effected, the implanting of a love of home which brings with it the love of country, of good order, and of civilization, is not to be expected under the present system of annual leases, nor by paltry allotments or precarious tenures of land—it can be done only by giving to the peasant and to his heirs, real, independent, and permanent possession of land sufficient for the maintenance of a family, and secured to them for ever on the due payment of the annual rent stipulated by the contract of purchase.

I am aware of the prejudices of the great landed proprietors against such a scheme of partition—they are unwilling to part with the land in perpetuity, and they will raise objections to the establishment of independent families around them, as nurseries of a poor and more numerous population. Their fears and objections are not well founded: the system of selling for perpetual rents, secured on land daily improving in value, ought to remove their objections, and, at all events, nothing can possibly be worse for them than the actual state of society in Ireland. The great body of the peasantry, finding no employment from the rich, no land to till, except at prices which the utmost labour cannot enable them to pay, are driven to desperation when, having attempted to cultivate a field of potatoes, they are called upon for tithes on those potatoes which are already insufficient for the sustenance of their families, and the payment of rent. The law, the military, the police,

are however called upon to force them to pay both rent and tithes, or in default, to eject them from land and home.—Seeing all the authorities, and institutions of the country leagued against them, is it surprising that the peasantry should look upon those authorities and institutions with distrust? The situation of the landowners is not to be envied; it is true that, by coercive measures, they succeed in keeping down the spirit of discontent, but they do so at the expense of their own comfort and happiness. If there be, as we must suppose there is, a pleasure in the exhibition of pride and power, in the unlimited exercise of tyranny and oppression, the landlords of Ireland must experience that pleasure in the highest degree; the unexampled scenes of misery which they behold at every step, attest their arbitrary sway, and the extent of the mischief which that sway has occasioned: nothing can be wanting to their triumph; but amidst that triumph, they cannot taste the sweets and comfort of a peaceful home—they cannot meet the smiles of a grateful tenantry,—they are obliged to fly their country.

How different would their situation be, if they consented to adopt the system recommended—if they sold on perpetual leases, and at the full value, a part of the lands which they cannot keep in their own hands, and which, divided in estates of from two to six Irish acres, would render an equal number of families happy and industrious—while the full value of the land would be preserved to the landlord, and be secured to him in a more efficient manner than any other part of his property. Every year, every improvement laid out by the new proprietor, would add to the security of the annual rent due to the former proprietor, who, without care or anxiety, without labour or expense, without witnessing the distress occasioned by the change of yearly tenants ejected from the miserable hovels for which they cannot by any human efforts contrive to pay the heavy rents, imposed generally by middle men—would be sure to receive a fair income from the land ceded, and would do so with the good will and good wishes of all around him.

A traveller in Spain gives a description of a part of that fine kingdom, that might have been applied to Ireland:

“Beside Edija and Carmona we met but few villages between Cordova and Seville, and no solitary farms nor houses, other than the public ventas. Though the soil was every where fertile, yet it was, in general, imperfectly cultivated, and often abandoned to the caprice of nature. Nothing can be more painful than to behold this country, which rose to such a high degree of prosperity under the Romans and Arabs, now so fallen, so impoverished. The principal source of this depopulation may be found in the landed monopolies; nearly the whole country being owned by large proprietors, to whose ancestors it was granted at the time of the conquest.

“They who preach the preservation of families and estates, and deprecate the unlimited subdivision of property, should make a journey to Andalusia. Other causes are found in the odious privileges of the Mesta, in the exorbitance of the taxes, in the imperfect state of internal communications, and in the thousand restrictions which check circulation at every step. Not to mention the clergy, the convents and the robbers, have we not already causes enough of ruin and desolation?”

The arguments propounded by the Rev. J. H. Mules, in favour of the allotment system, adopted in some part of England, by which small portions of land are leased out to the labouring classes—apply with much more force to the system of absolute sales subject to a perpetual rent:

“It almost invariably improves the moral and physical condition of the labouring classes, by fostering self-respect, independence, and contentment, and by raising the general standard of subsistence. It gives the habit of continued and patient industry, inspiring right motives, and the assurance of reward. It imparts a knowledge of the value of labour, and the rights of property; gives an interest in the welfare and tranquillity of the country, and in the good order of society. It lessens pauperism, intemperance, discontent, distress and crime; and cherishes in their stead, sobriety, cheerfulness, gratitude, and all the growth of kindlier feelings of our nature. It develops the moral character, and even contributes to more

noble aspirations, by promoting the better observance of the sabbath, and rendering religious societies more efficacious, by removing the distracting and corroding care of providing for the necessities of the day passing over them—wants supplied, and fairer prospects, being conducive to that composure and peace of mind which best cherish religious improvement. It offers the means simple and obvious, which in no long time would waken a nation into gladness, and spread a smile over the face of nature itself. The discordant elements of society would thereby become purified by this salutary admixture. Its several classes, weak in their division, and hostile, as separate from each other, would, as they were drawn together in the bonds of mutual interest and affection, become indissoluble; not only, as the fabled bundle of sticks, would they remain united and unbroken, but each, like the rod of Aaron, would again branch forth and blossom into all the charities and virtues of domestic and social life. Then, indeed, the different ranks of society, instead of so many steps of a dungeon, would, like Jacob's ladder, seem reaching up to Heaven, and the angels of mercy and gratitude would be seen ascending and descending thereon for ever."

One of the queries proposed by Bishop Berkeley is not inapplicable to Ireland, and to this subject:

"Suppose the bulk of our inhabitants had shoes to their feet, clothes to their backs, and beef in their bellies, might not such a state be eligible for the public, even though the squires were condemned to drink ale and cider?"

The state of things supposed by the bishop would certainly be eligible, even with that sacrifice on the part of the squires; but, by following the system here recommended, the attainment of such a state would require no sacrifice of any kind; the people might have shoes to their feet, clothes to their backs, and beef in their bellies, while the squires would have better means than they now have to drink wine or any other liquor they like best.

In proof of this, we need not have recourse to the opinions of authors of travels, or of public economy. The effects and working of the system recommended, may be seen in the Channel Islands; the theory is there reduced into practice, and has been so, successfully, for ages, although with many disadvantages that would not occur in countries of greater extent. The constant subdivision of land in these very small islands, might appear to many to be necessarily attended with insurmountable difficulties and want of employment to the population, which that subdivision tends so powerfully to increase, while the limited extent of the country gives no scope to industry, and presents no resource to the agriculturist in want of land. The law of primogeniture which, in England, is carried to so great an excess, as to give to one child, not only the principal house and estate, but all the estates that belonged to the father—and which, in France, is so far put aside as not to leave to the eldest son the paternal roof, and gives him no preference in the retaining it over his co-heirs, male or female—that law is so far observed in Guernsey, as to give to the eldest the property of the principal house, and of a few perches of land adjoining, on which the out-houses may be supposed to stand—the law gives him that property exclusively, and without compensation to his co-heirs, and further gives him the right to keep all the land attached to the house in the ring fence, and not separated from it by a public road—but, for the value of all the land exceeding the sixteen to twenty perches, allowed for the eldership, he must account to his co-heirs.

The Guernsey custom is not attended with the gross partiality and injustice of the English law, which denies to the younger children all right or title to the land of their parents; while it does not so completely dismember the estates as the French law, by which all houses and lands are divided equally among the brothers and sisters, but preserves in Guernsey the nucleus of the family estates in the hands of the eldest, without depriving the younger branches of their share of the value.

These particulars are mentioned in order to obviate objections that might be made to the introduction of the new system into Ireland. Something like the Guernsey custom would be necessary to prevent the endless subdivision of the small estates, that would, according to the said system, be occupied by the present houseless peasantry.

Such a system requires the co-operation of the great landed proprietors, and, above all, a legislative interference of a very delicate nature. The absolute necessity of the case, the extreme danger to the state, attendant on the actual and impending state of society, can alone warrant such an interference with the rights of property. But the very protection of that property may require a remedy against evils that threaten to sweep away every vestige of that property, and every person having a claim to it.

For their own sake, all such persons should come forward and petition the aid of the legislature—they should be the first to propose a measure of this kind, and that measure should be of a general nature. All partial remedies that seek to bolster up the actual state of society, and the precarious tenures of land, can be of no use; things have arrived to that degree of individual misery, and general danger, that nothing but a mighty change can effect any permanent good. The removal of the law of primogeniture, some centuries past, might have prevented the accumulation of that great mass of distress now witnessed, and an equal law of succession would now produce great benefits to the country: but immediate relief is wanted, and to obtain that relief to the extent required, there appear but two measures adequate—the cession of land to poor families on the payment of perpetual rents, and emigration on a large scale. Both remedies combined must produce a great improvement; a poor law is another remedy about to be tried, which alone can never restore Ireland to a happy state. The poor are too numerous to render it possible to give them sufficient relief, without the greatest sacrifice on the part of the landowners. Compare the sacrifices that must be made by them in execution of the poor law, with the sale of their superfluous lands on perpetual rents—and decide which plan of relief would be most advantageous to those owners. No doubt can surely exist on the matter. The poor law, to be effective, will require pecuniary sacrifices to an enormous amount; the cession of land would require none,—would be attended with no diminution of income. There is another consideration, which is the national expense requisite for the erection of the poor houses all over the country, independently of the moral degradation which is the natural result of crowding so many poor together. In every point of view, and especially the moral consideration, how desirable must that plan be which would give an interest in the soil to the great bulk of the population,—which would remove discontent, and promote industry and content over the whole face of the country! How superior would such a state of things be to the system of wretchedness, idleness and destitution, which prevails! How superior as a means of comfort and happiness to the rich proprietor as well as to the poor labourer. How superior in point of general interest, and in point of even the interest of the proprietors themselves! Compared with the poor law attempted to be introduced, the superiority of the present plan is most striking. The poor law may give some relief, but no remedy to the poor,—no prevention of poverty; the evil, the canker will remain, and the discontent also. So far from creating comfort to the proprietors, the poor law will be the cause of their being assailed more than ever by the poor who surround them, and who will think themselves authorised by law so to assail them. The poor law, as a palliation of the evil, will cost to the proprietors immense sums of money, while the radical cure would in fact subtract nothing from their property. The palliation would greatly diminish that income, both by the sums levied for the maintenance of the poor, and by the sums levied by county rates or national taxes for the erecting of houses for their habitation and occupation. The radical cure requires indeed the nominal sacrifice of a part of the land, but no sacrifice of the property,—no diminution of the income.

SOLICITUS.

PHILIP DURELL, ON THE CONSTITUTION OF JERSEY.

As this admirable speech, delivered in the parish of St. John, in the island of Jersey, on the 6th of August, 1787, furnishes the most lucid and convincing arguments in favour of reforming the principal grievances now complained of in Jersey, we have translated it for the benefit of our readers in that island. It is, in fact, a masterly State Paper, worthy of perusal by every political student.—Ed.

“Gentlemen,—This is the first occasion on which I have attended your parochial meetings since my return from France. You may desire to know what reflections I have made during my travels, and whether they have confirmed me in my former sentiments, or produced a change in my opinions. To satisfy this reasonable curiosity, I think myself bound in honour to state without disguise the view that I entertain of the state of parties now dividing this island. Every one knows that the proposition made to limit the authority of the Constables, induced me to side with the Court. I thought this proposition so beneficial to my country, that I did not hesitate a moment to defend it with all my zeal and ability. The public will do me the justice to admit, that the speech I delivered on that occasion was not opposed to their interests, since they deigned to testify their approval. Well, gentlemen, what I then was, I now am. My principles are fixed. To the last hour of my life, I shall attach myself to that party which promotes the welfare of my countrymen, and alleviates the misfortunes of the poor. But, since a well framed constitution can alone ensure these advantages to a country, I shall examine with you, whether we possess such a constitution, and whether the inhabitants of this island are really happy under the existing form of government. To determine these points, it is necessary to discuss the five following propositions, which embrace, nearly, the substance of all our political differences: the legislative power, the executive power, a code of laws, trial by jury, and the feudal rights of the seigneurs.

“All nations have felt the necessity of establishing a jurisdiction competent to pronounce sentence on those who disturb the peace of society; but all countries have not known the limits within which the prerogatives of this jurisdiction should be restrained. In some, as in Turkey, the legislative and executive power are concentrated in one hand. Thence results a formidable authority, which becomes dangerous to the people, because he who executes the law, also enacts the law. In others, as in England, the legislative power is separated from the executive. Here then the members of the legislative body have an interest in framing moderate and impartial laws, because they themselves are subject to their exercise as well as the rest of the citizens, and because they may justly apprehend being the first victims of an unjust or partial law. This is not the case in countries where the same persons frame laws and carry them into execution. There equivocation and ambiguity are ingeniously studied, that a discretionary power of interpreting the laws may be introduced, by which latitude, some are oppressed and others favoured. Now, gentlemen, it is but too true that we are in this deplorable situation. Our States are composed of three bodies, the judges, the clergy, and the constables. The judges are thus legislators, and execute their own laws; they ought not to sit in the States, for the reasons already assigned, and on which I shall enlarge when I come to the question of executive power. Neither ought the clergy to be members of the States, unless chosen by the electors, because their special interests differ from those of the community. The constables alone ought to be empowered to frame laws, because they represent the great body of the people, and every law ought to be the expression of the general will. Can it be affirmed that a law is the expression of the general will, when the jurats and clergy, by coalescing together, may enact ordinances opposed to public good, despite the united opposition of the constables? The decision of twenty-four privileged and irresponsible persons becomes obligatory on all the representatives of the people. What are the consequences, my dear countrymen? The rich are fortified in their unjust pretensions, while the poor man is despised. The seigneurs crush the people under the heavy weight of their odious pretensions. The wealthy, able to purchase electoral votes, trample under foot the rights of their indigent neighbours. The humble are injured and vilified, while the insolent triumph! There is, moreover, strong reason to fear that the jurats, who form one-third of the States, may render themselves formidable to the other two-thirds, since they have the power

to do so in their hands, and to persecute those who differ from them in opinion. At the present day, it is true, that we have patriots willing to sacrifice their personal interests to those of the public, so that, for the moment, we have nothing to fear on that score. But what security have we against a coalition of the jurats and clergy? Who can guarantee to us that, so long as the root of the evil exists, we may not have a repetition of those calamitous days, when a lieutenant-bailiff, asserting for himself and his associates the most absurd prerogative, insisted that members, who were his equals, should rise from their seats when addressing the States, and menaced those with imprisonment who dared freely to express their opinions, or who took a view of a subject different from his own? What degradation! What infamy! In this manner were the representatives of the people treated! those who held in their hands the interests and liberties of twenty thousand souls!

"You are convinced, gentlemen, of the danger of confiding the executive power in the hands of those who wield the legislative power. I shall now point out the danger of allowing those who make the laws to adjudicate upon them. This brings me to my second proposition: the executive authority.

"As soon as the legislators have enacted laws, they ought to re-enter the class of citizens, and obey their own laws, as the rest of society; but they ought not to have the power of putting them into execution; this duty should be confided to other parties, otherwise they would confer upon themselves, as legislators, the very authority they wield, as judges. Here, gentlemen, is one of the special grievances that has crept into our constitution. Our judges are clothed with legislative power, and the majority of them are seigneurs; consequently, their private interests are opposed to general interests. He who has fines to pay on successions, and pleads at the bar of the court for exemption! He who owes seigniorial rents, and refuses to pay them in kind! The poor and the *roturier* who have neither fiefs nor titles of nobility, and who demand justice from those who possess both! Do they appear before an impartial tribunal? Although we have a legislative body, it is nevertheless the interest of the jurats to prevent the enactment of laws; for if laws existed, they would define rules of proceeding, and thus abridge their authority. They would no longer be able to decide arbitrarily, and according to their caprice. The judges would be respected merely as organs of the law, but we should not tremble before them, nor prostrate ourselves at their feet. If, on the contrary, a country is without fixed laws, and the judge is able to pronounce sentence according to his mere will and discretion, then we must humour him, and truckle to him. We must be complaisant, flatterers, toad-eaters, if we wish to be in his good graces. I bring now this accusation against the magistrates of Jersey; it is human nature that I describe. "If the magistrate," says Beccaria, "does not act in conformity with laws known to all the citizens, if, on the contrary, he can make them as he pleases, such an abuse will open the door to tyranny, a monster constantly prowling round the outworks of political liberty. I know of no exception to this general axiom, to wit, that every citizen ought to know when he is guilty, and when he is innocent." These precepts are so beautiful, and they define so accurately the duties of the magistrate, and the rights of the citizen, that they ought to be engraved in letters of gold on every tribunal where justice is respected! Nevertheless, we daily see our citizens doubting, whether actions they deem innocent will be treated as criminal. For example, I deliver a speech in public, tending to show that abuses exist in our constitution. I think myself safe, because there is no law which prohibits such a speech. It may, however, displease some person in power; he cites me before his tribunal, and there, in violation of the rights of man, he inflicts on me what punishment he pleases. This dangerous abuse has not escaped the notice of the famous Blackstone, who was among the most eminent of the judges of England. "There exists," says he, "a very dangerous abuse, which consists in making *ex post facto* laws; that is to say, where a man commits an action indifferent in itself, the legislator then declares, for the first time, that it is criminal, and inflicts a punishment on the person who has committed it. It was impossible to foresee that an act, innocent when done, would be converted into a crime by a subsequent law; consequently, there was no obligation to abstain from doing it, and therefore any punishment thus inflicted, is necessarily unjust and cruel." But though the court of Jersey should not fall into this error, still we are not entirely safe, so long as the legislative is united to the executive power. "Because in a state thus governed," says M. De Montesquieu, the oracle of laws, "there can be no freedom; it is to be feared that the same senate would frame tyrannical laws, to execute

them tyrannically." Besides, political disputes inflame the mind to such a pitch, that it is scarcely possible for the judges to escape the universal contagion; and when the spirit of party influences their conduct, farewell to coolness, farewell to justice. Now, gentlemen, fixed and definite laws would obviate these evils. This brings me to my third proposition: the obtaining a code of law.

"The possession of clear and invariable laws is, in my opinion, the greatest blessing that a people can enjoy. Where good laws exist, the rich and poor are equally bound by them. Justice is impartially administered, for though men have passions, laws have not; they are neither susceptible of hatred or friendship. In their sight, rank, fortune, and titles, have no weight. The indigent is protected against the encroachments of the wealthy, and the plebeian fears not to plead against a nobleman. With good laws you have every thing; without them, you have nothing. Do you possess houses, lands, or moveables? How can you call them yours, unless laws guarantee the right of possession? A specious knave claims your inheritance; he puts forward a false title. To whom will you have recourse? To judges who have no laws to guide them, and are full of prejudices? In truth, the most virtuous commit errors of judgment; blinded by their passions, they fancy they decide according to their conscience, when they only listen to their anger, their hatred, or their spite. Arbitrary judges, holding the destinies of the people in their hands, soon produce fear and base submission. Men tremble before the rod which threatens them. They must kneel to obtain the favour of a haughty master. If, unfortunately, you are proud of the dignity of a citizen, you are a lost man. All these servile terrors necessarily draw along with them the loss of liberty. The state no longer possesses generous citizens, but only slaves and tyrants. The love of country is strangled in its birth. No longer can a patriot be found bold enough to exclaim, "Citizens, learn to feel your dignity, and know that, in a well ordered state, no citizen ought to stand in awe of another citizen." Such, in part, are the evils which obtain in a country wanting defined and permanent laws. It seems that fate has not been satisfied in making us share these evils in common with the people of other countries, but has added new grievances, equally pernicious. I allude to the diversity of customs and precedents admitted by the tribunals of this island. To day, Peter is condemned by virtue of the old *coutumier*; to-morrow, James is acquitted by virtue of the law of England. The two cases, however, are precisely the same; true, but the individuals are not. What a source of chicanery! What loss of time! What ruin of fortunes! What an incredible number of law-suits! How many families reduced to beggary! It is unnecessary, gentlemen, to cite examples of what I have advanced; they daily pass before your eyes. Many of you present have felt personally what I have described. You have said to yourselves: "My cause is good; there is a precedent in my favour." Foolish calculator! you have not noted that another precedent exists diametrically opposed to that on which you depend; the court will select which they please, or decide perhaps without paying the least regard to either. How presumptuous in you to expect a favourable verdict; you who have passed by a certain person in the street without taking off your hat!

"Is not a law, fixed, simple, and impartial, preferable, a thousand times preferable, to this confused pile of customs and contradictory precedents? A fixed and invariable law removes all doubts that might be entertained on the validity or invalidity of our pretensions; conflicting customs give rise to doubts, and perpetual litigation. Decisions, founded on an uniform law, leave no room for uncertainty, when we know that another party has gained his cause in similar circumstances; but contradictory precedents may be rendered subservient to hatred or favouritism. Finally, an impartial and just law has no respect to persons or conditions: all are equal under its equitable sceptre. Nevertheless, the laws, however good they may be in themselves, are not alone sufficient to lead to truth; it is also necessary that the facts of the case should be rigidly sifted, and shown in all their bearings. Judges, who hold their offices for life, are not fitted for this task, for they may so pervert or disguise facts as to promote their own ambitious designs. We must, therefore, establish another tribunal which shall only enjoy a temporary power, and be composed of persons of the same rank and condition as the plaintiffs and defendants. This brings me to my fourth proposition: the trial by jury.

"Juries have been always regarded as the bulwark of liberty. It is the most beautiful of political rights. It shields the weak against the strong, and gives to man the noble pride of seeing only his equals among his fellow citizens. This admirable institution is of such ancient date, that its origin cannot be distinctly

traced to its cradle. All that is certainly known is, that the greatest part of the European States, once held this inestimable privilege. We may fairly presume that those haughty conquerors who overran this quarter of the world, and who pillaged the Romans of their possessions, were not formed to bend to a superior. But, having perceived that the public good required the appointment of certain individuals to settle the differences that might arise among them, these generous men, ever jealous of their liberties, thought that the best mode of remedying the evil was to refer their disputes to a certain number of their peers, or equals, who, after having given judgment on the special case submitted to them, fell back into the class of citizens, and were liable the next day to be judged by those on whom they had sat in judgment. These stern republicans knew no other mode of adjusting their quarrels, without compromising their independence. Among them were not seen that brood of lawyers and tricksters of every class, who swarm in this country, and who, resembling cruel harpies, gnaw the vitals of those who unfortunately come within range of their merciless fangs. What ought to raise our admiration of trial by jury is, that in all countries where this privilege has been abolished, pride, ambition, vanity, and tyranny, reign with despotic sway. England, on the contrary, which has retained this unspeakable blessing, beholds her prosperous inhabitants the admiration of the world, and the envy of surrounding nations; all her statesmen admit, that the jury is the firmest support of national liberty. Are we then, a portion of her subjects, to be refused those privileges which elevate her above other countries, and which assure to Englishmen their happiness and their independence? Is nature an unjust and partial mother? Does she desire the freedom of some only of her subjects, while the others groan in slavery? No, she is just; she has traced in indelible characters on the forehead of the poor as well as on that of the rich, that we are all equal; that prerogatives attempted to be rendered exclusive, are pretensions of crying injustice; that titular distinctions have been usurped by ambition over fear and baseness; in a word, she commands those who have been despoiled of their rights, vigorously to demand their restoration.

"Gentlemen, one of the rights that you have lost, and which you ought to claim back, is the re-establishment of juries in the island. Nothing can more effectually put you into possession of all your other privileges. It may perhaps be answered that we already have a jury; but in what form do we possess it? We have the right of being judged by our equals in criminal matters alone; but we have not this advantage in civil cases. Moreover, this ancient privilege has been often infringed, and even violated. Frequently, the Royal Court has judged a criminal peremptorily, and sometimes passed sentence of death without the intervention of a jury. On other occasions, the Royal Court has committed persons to prison who have been acquitted by a jury, thus treating their decision with contempt. But what fills me with horror is, that there are examples of jurymen being fined and imprisoned for having acquitted men according to their consciences, though in opposition to the Royal Court. Could a tyrant do more to brutalize his subjects, and seize on absolute power? When a constitutional body, acting under the guidance of conscience, can be reprimanded, and even corporally punished for its verdict, it can no longer be accounted a judicial tribunal; it is reduced to a mere machine, which only moves in the direction given to it by an engineer. Its judgments are no longer free, but constrained. We are still in this miserable situation, and we shall long continue so, unless the proposed trial by jury, recently presented to the States, does not rouse us from our apathy, vigorously to support this patriotic proposition, which will make tyranny tremble, and gladden the hearts of the oppressed. Nothing can be better devised to arrest the abuses of authority. For it is certain that excess of power, confided to any man, blinds him, and invites him to abuse it, even though his natural disposition should be honourable. Man constantly desires to rise above his station; his great soul disdains mediocrity. He is thus prompted to use every expedient, to reach the elevation aimed at. Scarcely is he firmly settled, than he begins to fancy himself of a superior order to the rest of his species; he believes that his newly acquired rank gives him a privilege of lording it over his fellow-citizens; that he alone is to command, while others are to obey. Such is the fatuity of man, that he insensibly forgets himself, and the rights of his neighbours. It is therefore necessary, absolutely necessary, for the repose of society, that the judge should from time to time return to his original position, that he may constantly recollect he holds his authority from the citizens, his equals. The trial by jury, gentlemen, presents these advantages; I cannot understand why any man who has his own interest, and the welfare of his

country, at heart, can hesitate a moment in recommending its adoption. You will be sure of being judged equitably and impartially, because your judge will to-morrow be confounded among the class of citizens, and you will occupy the place he held. The powerful man will vainly cabal, intrigue, and exert his influence; all his solicitations or threats will be unavailing, if his cause be bad. In a free country, the sight of a poor man demanding protection against the oppressions of the rich, is a spectacle a thousand times more interesting in the eye of an honourable tribunal, than all the gold of opulence, added to all the fascinations of rank. The *seigneurs*, less obtrusive in their demands, will not dare to set up unjust claims on the property of their neighbours. It would be asked, what are your rights? What services have you rendered to your country, thus to arrogate a personal prerogative over your fellow-citizens? Have you shed your blood for them? Have you defended them against the incursions of an enemy? Have you rescued them from servitude? This brings me to the examination of the seigniorial rights, which is my fifth and last proposition.

"Scarcely had the barbarians strengthened themselves in their conquests, after the subversion of the Roman empire, than they felt the necessity of devising some expedient to secure their possessions, by placing themselves in a position to repulse any invader. They formed themselves into small armies, and selected for chiefs the bravest and most distinguished of their associates. Nevertheless, they managed to keep up their independence, that their chiefs, or petty kings, regarded them rather as their companions and equals, than as their subjects. But it is in the nature of all military governments to tend to despotism. What was first only a convention, became an obligation. The enemies they feared, left them in quiet possession of their lands. Peace emasculated their courage. The elevation and energy of their minds were debased by idleness. They had no longer the spirit to demand back the restitution of the power they had delegated to their rulers. The chiefs, or seigneurs, having no external affairs to occupy them, yet still feeling the desire of command, usurped by degrees all the liberties of the citizens, and established their prerogatives on the ruin of the independence of their vassals. Subsequently, the seigneurs acquired such influence over their tenants, that they exacted from them the most degrading services; they obliged them to cultivate their lands, to clean their stables, and to perform a variety of such demeaning tasks, that they were reduced to the condition of slaves; and on this account they were called *serfs* and *villains*. By these, and similar means, the seigneurs usurped the rights they now hold. For it is certain that, originally, these odious prerogatives which reduced the serf to the condition of a four-footed beast, were unknown. Why, indeed, should the seigneurs who are men, like the rest of us, and frequently inferior to their vassals in intellect, be a privileged class? Did nature, when presiding over their birth, say, "Behold creatures of a different species from all others; the matter out of which I have formed them is pure, and analogous to the superiority they are to hold in the world. I made them for command, and to reign over the rest of my children. I permit them to oppress their brethren, to fatten on their spoils, and reduce them into bondage." If such was the supreme command of the common mother of mankind, the seigniorial rights are incontestable. But if, on the contrary, nature has placed no such difference among us, how dare they tax their rents, and demand fines on our successions? What a right! What a title! What infamy! What! A poor family plunged into affliction and misery, a disconsolate brother, a weeping sister, an unbefriended widow; can not such objects touch your barbarous hearts? You add to these misfortunes, by stripping them of their property and reducing them to want. Unfeeling seigneurs! you must have flinty souls! for what man of sensibility but feels a pleasure in assisting and consoling the poor, and soothing his distress? But you, barbarians, you seem to enjoy their sufferings; misery and indigence only increase your cruel inflexibility. We have, however, lately seen a seigneur, with whom humanity has not lost her rights; one of his tenants died, and he generously refused to touch the succession. If it be necessary to publish good actions, it is also desirable that bad actions may be known for the sake of example. A seigneur, in this parish, guided by sordid interest, assembled his friends to value the succession of a man, who had always been one of his firmest partizans. The friends of the seigneur fixed the succession at a reasonable sum. He, however, without regarding their decision, exacted from the poor widow of the deceased a much higher sum. Is it thus that gratitude reigns in the bosom of a great seigneur? Ought they not rather to distinguish themselves from the crowd by the elevation of their sentiments? This seigneur, acting on the same

principles, claims a right to a portion of the fish brought into Bonne Nuit, under the pretext that the harbour is on his fief, and that the fishermen owe him a compensation for the shelter there afforded to their boats. How feeble is such an argument when put in the scale against pity, compassion, charity, and humanity! What! shall these poor fishermen, who have nothing but the produce of their fishing whereby to maintain their families, thus part with their very life-blood to swell the hoards of a man already gorged with wealth!

"I should detain you too long, gentlemen, if I examined in detail the rights that the seigneurs claim of exclusive hunting and shooting, of erecting mills, and keeping dovecots. I may, however, mention their infamous privilege of taxing the grain of their tenants, according to their own caprice. The poor labourers fertilize the soil by the sweat of their brow, and the rich grasp from them the fruits of their toil! Shall I pass over in silence the odious right the seigneurs claim of confiscating the cart or boat of a poor man, because they may have caused his death! Indignation suffocates me! Can we view these horrors with coolness? Can man be degraded to a lower level?

"Ah! if ye, O powerful men! would listen one moment to the out-pourings of a heart which compassionates the misfortunes of his countrymen, you would generously abandon pretensions which make humanity blush, and you would say to your compatriots, "My friends, you have too long groaned in misery and servitude; at length enjoy independence, and the liberties conferred on you by nature," taste with us the sweets of society, which are only to be found in the bosom of freedom." I imagine the happiness you would then enjoy, stern and inflexible men! You would be the ornaments of your country, and your names would be honoured in our history. Your coteremporaries would hail you as their saviours, and posterity would hold you in veneration. How sweet the satisfaction to say to oneself, "I have made people happy." Is it possible for any man to be so insensate as to desire the execration of his fellow-citizens?

"I have now acquitted myself, gentlemen, of my promise to prove to you that our constitution is defective. It is so in respect to the legislative and executive power; these two powers ought not to be lodged with the same persons, because they give too much authority to men, who are naturally impelled to abuse it; and thus the liberty of the citizen is endangered. The constitution is also defective, because we do not possess the precious right of trial by jury, in civil as well as in criminal matters, and this is the only guarantee of impartial justice, and the only instrument by which chicanery can be banished from the country. Finally, the constitution will continue to be defective so long as the seigniorial rights oppress the people, and so long as a privileged class exists; the men of prerogative are the destroyers of independence.

"Now, gentlemen, what is the party desirous of reforming these abuses! What is the party anxious to separate the legislative and executive powers, whose union create so much evil? What is the party struggling to obtain trial by jury? What, in a word, is the party ardently solicitous to abolish the rights of the seigneurs? It is the party of the States; that is the party which desires the happiness of my fellow-countrymen. Convinced of the truth of all that I have advanced, what would you have thought of me, had I continued to attach myself to a party which opposes the public good? Would you not have denounced me as a bad-citizen, in acting against my own convictions? I am not ignorant, gentlemen, that many of you consider it most dishonourable for a man to change his party: but there is a vast difference between changing party from private and interested motives, and from a consciousness that we have formerly been in error. Believe me, gentlemen, that a false point of honour alone can induce a man to pursue measures, which his reason assures him are contrary to the welfare of his country; it is to raise pride, and vanity, and obstinacy, to the rank of virtues. It is a thousand times more honourable openly to confess our errors, and to reform them. I, therefore, embrace this opportunity, gentlemen, to invite you to follow my example. I know that many of you, though belonging to the party of the court, have the true interests of your country at heart; I have heard you frequently deplore the misfortunes of your countrymen. Emancipate yourselves then from this false point of honour, which only becomes weak and timid characters, and enter with me the noble career of liberty, which only rewards those who neither dread nor oppress any one. O my country! would to God you did enjoy the blessing that the party, on whose behalf I speak, wish to see conferred on you! We should no longer behold the man of prerogative arrogantly insulting the poor man prostrated at his feet. The oppressed would no longer tremble before the judge; he would await

the success of his cause with a noble confidence. The ploughman, labouring in his fields, would have the satisfaction of feeling that if his industry were rewarded with an abundant harvest, the seigneur could not come to ravish it from his family. The fishermen, content with the produce of his toil, would come home joyfully to share it with his children; the seigneur would no longer meet him with fiscal rapacity on the beach. Ah! my dear countrymen, I am sure that your hearts are too sensitive not to be affected with this mournful picture, however feebly sketched, of the calamities which desolate our island. I confess myself to be deeply affected; and I cannot reject the hope that you will adopt, and act upon, these sentiments, for the common good of our common country."

SUMMARY OF TREASURY ORDERS, ACTS OF PARLIAMENT, &c., REGULATING THE COMMERCE OF THE CHANNEL ISLANDS.

NAVIGATION ACT.

No goods shall be imported into the United Kingdom from the islands of Guernsey, Jersey, &c., except in British ships.

No goods shall be exported from the United Kingdom to any British possessions in Asia, Africa, or America, nor to the islands of Guernsey, Jersey, &c., except in British ships.

No goods shall be carried from any of the islands of Guernsey, Jersey, Alderney, Sark, or Man, to any other of such islands, nor from one part of any of such islands to another part of the same island, except in British ships.

No ship shall be admitted to be a British ship, unless duly registered and navigated during every voyage, (whether with a cargo or in ballast,) in every part of the world, by a master who is a British subject, and by a crew, whereof three-fourths at least are British seamen; and if such ship be employed in a coasting voyage, from one part of the United Kingdom to another, or in a voyage between the United Kingdom and the islands of Guernsey, Jersey, Alderney, Sark, or Man, or from any of the said islands to another, or be employed in fishing on the coasts of the United Kingdom, or any of the said islands, then the whole of the crew shall be British seamen.

Oil, fish, &c., the produce of the British Colonies, may be admitted for home consumption into the United Kingdom, through Guernsey or Jersey, upon proof that the goods have been imported legally into those islands, and exported from thence in British vessels.—T. O. 10th February, 1834.

DEBENTURE GOODS.

If any goods which have been taken from the warehouse to be exported, or which have been cleared to be exported for drawback or bounty, shall not be duly exported to parts beyond the seas, or shall be re-landed in the United Kingdom, or shall be landed in the islands of Faro, or Ferro, or carried to Guernsey, Jersey, Alderney, &c., (not having been cleared to be exported strictly to such islands,) the same shall be forfeited, together with the ship, and every other description of craft, which may have been used in so re-landing, landing, or carrying such goods; and any person by whose means or orders the same shall have been so taken or cleared, or so re-landed, landed or carried, shall forfeit treble the value of the goods.

EXCISE OF DRAWBACKS.

No drawbacks shall be allowed on any glass exported to the islands of Guernsey, Jersey, &c., or any of them, except when the names of the said islands are respectively mentioned; nor on any glass exported to the said islands, the name of which shall not be expressly mentioned; nor on any plate glass, ground and polished, which shall be of a less thickness than $\frac{1}{4}$ of an inch.

TONNAGE DUTIES IN LONDON.

For every ship or other vessel entering inwards or clearing outwards in the port of London, from or to any of the following countries or places, there shall be paid for every ton of her burthen, viz:

Guernsey, Jersey, Alderney, Sark, or Man, one half-penny per ton.

REGULATION OF THE TRADE WITH THE BRITISH POSSESSIONS ABROAD.

Guernsey, Jersey, Alderney, and Sark.—Tea may be imported into the islands of Guernsey, Jersey, Alderney, and Sark, from the Cape of Good Hope, and places outward of the same to the Straits of Magellan, and from the United Kingdom.—3 and 4 William IV., cap. 101, sec. 2.

Brandy, geneva or other spirits, and tobacco, may be imported into, and exported from the said islands, from and to the United Kingdom, and from and to foreign parts, in vessels of the burthen of seventy tons at least, or of sixty tons burthen, according to the new mode of admeasurement; but such spirits and tobacco shall be imported in packages of the content and weight required by law, (except spirits imported in bottles and in square-rigged ships, and also except such spirits or loose tobacco as shall be for the use of the seamen belonging to any vessel or boat, not exceeding two gallons of the former, or five pounds weight of the latter,) or the same shall be forfeited, together with every such vessel or boat importing the same.—3 and 4 William IV., cap. 59, sec. 88; 4 and 5 William IV., cap. 89, sec. 22.

Bottled spirits may be imported into the United Kingdom from Guernsey and Jersey, in regular traders of seventy tons burthen, or of sixty tons burthen and upwards, according to the new mode of admeasurement, whether square-rigged or not.—T. O. 6th December, 1833; C. O. 11th March, 1834.

Nothing hereinbefore contained shall extend to subject to forfeiture any boat not exceeding the burthen of ten tons, for having on board any foreign spirits in casks of less contents than forty gallons, or any tobacco, snuff, or tea, in packages not exceeding fifty pounds weight each, for the supply of the island of Sark, such boat having a license so to do; provided that every such boat having on board, at any time, any greater quantity of spirits than ten gallons, and of tobacco or snuff than fifty pounds weight of each of the said articles, unless such greater quantity of such articles shall be in casks or packages of the content or weight hereinbefore required, or having on board at any one time any greater quantity of tea than fifty pounds weight, shall be forfeited.

Any goods of the produce or manufacture of the said islands may be imported into the United Kingdom, without payment of duty, except such as shall fairly counterbalance any duties of excise, or any coast duty, payable on the like goods, the produce of the part of the United Kingdom, into which they shall be imported; provided that such exemption from duty shall not extend to any manufactures of the said islands, made from materials the produce of any foreign country.—3 and 4 William IV., cap. 52, sec. 40.

Under the above clause, the duty on spirits manufactured in Guernsey, Jersey, &c., made from materials the produce of those islands, when imported into England, will be seven shillings and sixpence per gallon, into Scotland, three shillings and fourpence per gallon, and into Ireland, two shillings and sixpence per gallon.

Before any goods shall be entered in the United Kingdom as being the produce of any of the said islands, (if any benefit attach to such destination,) the master of the importing ship shall deliver a certificate, duly signed, that such goods are the produce of the island from whence the same were imported, and the master shall make a declaration that such certificate was received by him at the place where the goods were taken on board, and that they are the same as are mentioned therein.—3 and 4 William IV., cap. 52, sec. 41.

The lords commissioners of his Majesty's Treasury may permit any goods, the produce of the British possessions or fisheries in North America, which shall have been legally imported into the islands of Guernsey or Jersey direct from such possessions, to be imported into the United Kingdom for home use, direct from those islands, under such regulations as the commissioners shall direct.—3 and 4 William IV., cap. 52, sec. 42.

Vessels arriving on the coast of England from the islands of Guernsey, Jersey, Alderney, or Sark, wholly laden with stone, the production thereof, shall not be liable to be conducted by pilots.—3 and 4 William IV., cap. 52, sec. 43.

The anchorage of dues and duties payable to his Majesty, within the islands of Guernsey, Jersey, Alderney and Sark, or foreign vessels and boats arriving at the said islands, are not to be charged on vessels and boats belonging to any country with which treaties or conventions of commerce have been concluded, (except such vessels and boats, being under the burthen of one hundred and twenty tons, belonging to the subjects of the United Provinces of Rio de la Plata,) and such exemption is to extend in favour of vessels and boats belonging to the subjects of any other foreign country, with whom his Majesty shall hereafter conclude any such treaty as aforesaid.—Order in Council, 10th May, 1827.

Any sort of craft, foods, victuals, (except spirits,) and any sort of clothing and implements and materials, fit and necessary for the British fisheries in America, may be exported from the islands of Guernsey and Jersey in British ships, into any port or place in the British possessions in North America, at or from whence the said fisheries are carried on, although such part or place be not a "free port."—6 and 7 William IV., cap. 60, sec. 15.

All warehoused goods, including bonded corn, may be exported to Guernsey and Jersey, in any of the regular traders sailing between the ports of the United Kingdom and those islands, not being of less burthen than forty tons.—T. O. 27th September, 1831, and 12th January, 1832.

CHINA AND INDIA GOODS.

East India price goods may be removed by land carriage from London to Southampton, for the purpose of exportation to Guernsey, Jersey, and Havre.—T. O. 31st August, 1836, and C. M. 20th September, 1834.

COALS.

Coals may be exported to the islands of Guernsey and Jersey for the purpose of re-exportation from those islands to foreign parts, upon the exporter expressing the same in his entries outwards, and paying the duty as in cases of direct exportation from the United Kingdom to such parts, and upon the arrival of such coals at Guernsey or Jersey, entries must be passed for the same, in virtue of which the importer thereof will be allowed to export any quantity (not including the quantity so imported) by regular entries, provided such exportation be made within twelve months from the importation thereof into those islands.—T. O. 18th July, 1826, and 19th July, 1831.

BONDED CORN.

Bonded corn may be exported to Guernsey and Jersey in any of the regular traders sailing between the United Kingdom and those islands, not being of less burthen than forty tons.—T. O. 27th September, 1831.

ETHER.

Ether imported into the United Kingdom from the islands of Guernsey, Jersey, Alderney, Sark, or Man, is to be charged with a duty equal to the amount of duty on two gallons and half of British proof spirits—that being the estimated quantity requisite for the manufacture of one gallon of ether.—C. O. 8th May, 1830.

BRANDY IN BOTTLES.

Packages of brandy, containing three dozen reputed quart bottles, may be imported from Guernsey to be warehoused for exportation only, upon the parties giving security for the due delivery thereof into the charge of the proper officers for that purpose.—T. O. 11th July, 1828.

GENEVA IN BOTTLES.

Packages of geneva, containing three dozen reputed quart bottles, may be imported from Guernsey, &c., as above.

SEGARS.

Segars, in packages of not less than one hundred pounds weight, may be imported into or exported from the islands of Guernsey, Jersey, Alderney or Sark, or removed from any one to any other of the said islands, or coastwise from any one part to any other part of the said islands.—6 and 7 William IV., cap. 60, sec. 14.

TOBACCO FOR THE USE OF THE NAVY.

Shall not be landed in either of the islands of Guernsey, Jersey, Alderney, Sark or Man.—3 and 4 William IV., cap. 52, sec. 99.

TOBACCO FOR THE USE OF THE ARMY.

When embarked for foreign service, shall not be landed in either of the islands of Guernsey, Jersey, Alderney or Sark.—T. O. 14th April, 1828.

VINEGAR.

Vinegar, the produce of Guernsey and Jersey, warehoused on importation, may be shipped direct from the warehouses free of duty, for the stores of vessels outward bound.—Min. C. C. 31st May, 1834.

J. B.

JUDICIAL SYSTEM OF GUERNSEY.

TO THE EDITOR OF THE GUERNSEY AND JERSEY MAGAZINE.

SIR,—In the month of June last, I addressed a letter to the Editor of the *Gazette de Guernesey*, signed "*Un Paroissien de St. Pierre-Port*," which appeared in that paper on the 17th of the same month, and in which I recommended certain reforms in the organization of the Royal Court of this island. I had ventured to hope that a subject of such importance would have excited some attention on the part of the readers of that journal, and that my letter would have provoked a discussion which might have led to some beneficial results. I have, however, been disappointed, and the same indifference which exists among a numerous class of the inhabitants of this island, respecting many important questions, seems to prevail on this occasion. In the hope, therefore, that the subject will be taken up by yourself or by some of your correspondents, I am led to request that you will publish the following remarks.

It seems to be generally acknowledged that some reforms in our local institutions have become indispensable. In this opinion I fully coincide, but I am persuaded that the principles on which those institutions are based are sound and good, and well suited to our peculiar position, and that they may be easily adapted to the circumstances of the times in which we live. I am, therefore, opposed to any violent changes. I would not level to the ground the venerable structure which has stood the storms of centuries. I would seek to restore it to its primitive beauty, making however such alterations and additions as may have become necessary, but scrupulously adhering to the original character of its architecture.

Among the reforms which have been spoken of, public attention has been of late drawn to the representation of the people in the States, and, although much indifference seems to exist on the subject, I trust that the matter will eventually be brought to a satisfactory termination. It appears to me that the strongest exertions ought to be made for the purpose of obtaining this reform; but I think that it is equally important that measures should immediately be taken for obtaining such an alteration in our judicial system as would ensure a more satisfactory administration of justice; and I am confident that if these two measures were carried they would inevitably lead to all further necessary reforms. I will, therefore, point out some of the most glaring defects in our judicial system and then suggest a simple and safe remedy.

The Royal Court, as a judicial body, now performs the functions both of a civil and of a criminal tribunal. As a civil tribunal, it sits for the purpose of authenticating contracts, deeds, and other documents; it is a tribunal of first instance; and also a court of appeal. As a criminal tribunal, it holds inquests; it is a police court; it is a court of criminal instruction; and a court for the determination of criminal cases without appeal. It is impossible not to be struck with the incompatibility of several of these duties, and not to feel that their multiplicity must greatly impede their due performance. The inconveniences resulting from such a state of things are manifest. Does it not appear absurd to see judges at one moment authenticating a parcel of half-pay certificates and other similar documents, and a few minutes afterwards trying causes of the utmost importance? What can be more at variance with every principle of law, than for the same tribunal, in the case for example of a murder, to hold the inquest on the body of the murdered individual, to examine the supposed murderer and to commit him for trial, to cause the depositions of the witnesses to be reduced into writing in its presence, and finally, to try the prisoner? I might multiply queries of this sort; but it is quite unnecessary. Another serious defect in our judicial system is, that the magistrates are not bound to pursue any course of study before they take their seats on the bench, the consequence of which is, that when they come into office they have often but a very imperfect knowledge of our laws and customs, and this necessarily causes much uncertainty in the decisions of the Court, to say the least of it. I would farther observe, that it often occurs, owing to the temporary absence from the island of some of the magistrates, or to other causes, that much difficulty is found in forming a quorum.

Now, I think that most of these evils might be remedied in the following manner:—Six additional magistrates might be chosen by the States of Election, in the same manner as the jurats are at present. They might be called Justices of the Peace. It might be advisable that the first six should not all be elected on the same day, but that two only should be chosen at a time, and that a certain

interval should be allowed to elapse before two more were chosen, so that the electors might have time to become properly acquainted with the qualifications of the candidates. These justices of the peace would be divided into two sections, and each section would sit during half the year, with one of the jurats as a president. This inferior tribunal would authenticate certificates, contracts, and all other documents, with the exception of those requiring the seal of the bailiwick; would hold inquests; would sit as a court of correctional police, with defined powers; would discharge the duties of a tribunal of criminal instruction; would cause the depositions of witnesses to be set down in writing in its presence, when necessary in civil cases; and would try summarily all civil causes respecting personal property for amounts under £3 or £5 sterling, subject to an appeal to the Royal Court. These justices of the peace might also act as commissioners of the court, for examining accounts, &c., for superintending sales of real property belonging to minors, and for other similar business. They would all be bound to be present whenever the Royal Court met in a body: they would not be entitled to vote, but would have deliberative voices, and whenever it might happen that there were not a sufficient number of jurats present to form a quorum, the vacancy or vacancies would be supplied by the senior of them. In like manner, the three who were not sitting as an inferior tribunal, would be bound to be present at all the sittings of the ordinary court, or "*cour du quartier*," for the same purpose. The jurats could only be chosen from among these justices of the peace, the crown lawyers, or the advocates.

It is not difficult to foresee the advantages which would result from the adoption of a plan of this sort. The bailiff and jurats would be enabled to devote the whole of their time to matters of importance, and, being no longer concerned in preliminary details, would enter into the consideration of each case without having contracted any bias. The jurats, moreover, having served a sort of apprenticeship, if I may be allowed the expression, would be more capable of properly discharging their duties than they can be under the present system. And farther, there would not be the same difficulty in forming a quorum as often occurs at present.

Such is a brief outline of the plan which I would propose for serious consideration. It is, I doubt not, susceptible of improvement, but I trust that it is not a visionary scheme, and I would venture to hope that it will not be found to contain any thing contrary to the fundamental principles on which our institutions are based. Were it adopted, the people would still retain the privilege of electing their judges, through their constitutional representatives, and the Royal Court would continue to exercise all their important functions.

R. M. C.

NOTES OF THE MONTH.

GUERNSEY.

Royal Court.—An order in council, dated 26th July, was presented for registry. This order required alterations to be made in the royal arms, in consequence of the demise of his late Majesty, whereby the German dominions of his late Majesty have devolved upon his Royal highness the Duke of Cumberland, now Ernest Augustus, King of Hanover. The order was accompanied with a drawing of the arms as they are in future to be, wherein the shield or escutcheon of pretence representing the arms of his late Majesty's German dominions, and ensigned by the royal Crown of Hanover, are omitted, and the shield left to contain the armorial ensigns of the United Kingdom only; and it required that the change should be made in all seals of office, stamps, coins or instruments, where such arms are now used.—Ordered to be registered.

Exhibition of Dahlias.—The silver medal was the prize of the best twelve dissimilar blooms, and it was competed for by three amateurs, Messrs. Dobrée, Lefebvre, and Harris, and three florists, Mr. Saunders, of Jersey, and Messrs. Hooper and Barbet, of Guernsey. The great struggle was between Messrs. Dobrée and Harris, but the latter was victorious. These blooms were eminently beautiful; indeed, each stand was excellent. Mr. Dobrée's collection of Dahlias was splendid, but we think their effect would

have been greater, had they been arranged in tiers rising one above the other, instead of all being placed on the same level.

The seedlings were very promising. Mr. Vidamour exhibited a beautiful collection of German and other Asters. Messrs. Saunders and Langelier, of Jersey, and Mr. Randle, of Plymouth, exhibited a fine display of choice Dahlias, as did also Messrs. Hooper, Luff, Burke, and many others of Guernsey.

Silver Medal.—Best twelve dissimilar blooms, Mr. Harris, Royal Yacht Club Hotel.

Premium Prize.—Best collection of Dahlias, not exceeding two blooms of either flower, Mr. H. Dobrée.

Best Show of Dahlias.—First Prize, Mr. John Vidamour.

Second Best Show of Dahlias.—Mr. Hooper, florist, Sarnian Nursery.

Seedlings.

Best six Dahlias... Mr. Harris, R. Y. C. Hotel.

Second best do... Mr. Saunders, Florist, Jersey.

Best one Seedling... Mrs. Du Feu.

Second best do... Mr. Harris, R. Y. C. Hotel.

Mr. H. DOBRÉE.—Seal's Invincible, Doad's Mary, Negro Boy, Picta Formosissima, Widnal's Perfection, Sulphurea Elegans, Purpurea Elata, Vandyke, Springfield Rival, Widnal's Pactolus, Widnal's Apollo, Criterion.

Mr. HARRIS, R. Y. C. Hotel.—Kington's Magnet, Millard's Defiance, Lady Fordwich, Saunders' Captain Richard, Gem or Adelaide, Victoria, Springfield Rival, Saunders' Miss Jones, Widnal's Apollo, Lylach Perfection, Purple Perfection, Beauty of Cambridge.

Mr. LEFEBVRE.—Pieta Formosissima, King of the Whites, Name Unknown, Ditto, Ditto, Criterion, Lewick's Incomparable, Prince George, Queen, Springfield Rival, Brown's Orphan, Shade's Seedling.

Mr. HOOPER, Florist.—Douglas's Glory, Alice Gray, Beauty of Camberwell, Bride, Hadleigh's Champion, Magnificent, Mary, Queen of Dahlias, Gem, Springfield Rival, Bronze, Fisherton Rival.

Mr. SAUNDERS, Florist.—King Otho, Juliana, Lovely Ann, Berkshire Champion, Purple Perfection, Golden Yellow, Gem, Denis's Empress, Milbury Rival, Picta Cupped, Rhodomanthus, King of Beauties.

Mr. BARNET.—Crosus, Rendle's Conqueror, Beauty of St. John, Ovanita Speciosissima, Madona, Widnal's Hebe, Harris's Acme, Leal's Invincible, Countess of Liverpool, Rendle's Micaua, Rendle's Stirling Gold, Widnal's Perfection.

Treasurer's Account with Scripture Readers' Society in Ireland, for 1837.

Dr.	£	s.	d.
Collected by Ladies as per statement ..	33	3	9
Received by post in 1836, from "An Old Friend"	3	0	0
	£35	3	9

Cr.	£	s.	d.
Bill remitted to London	33	7	0
Premium on ditto	1	13	5
Postage of letter	0	3	4
	£35	3	9

E. A. BROOKS, Treasurer.

	£	s.	d.
Collected by Mrs. De La Condamine	3	4	5
Miss Dobrée	10	3	4
Miss J. Jacob	1	2	0
Miss H. De Jersey	4	16	8
Miss Kyan	1	2	1
Miss Le Pelley	8	7	0
Miss M. Le Lievre	1	0	6
Miss C. Mansell	1	11	9
Mrs. Potenger	0	15	0
Miss Sayer	1	1	0
	£33	3	9

Miscellaneous.—The extraordinary number of 118 congers, weighing 1,865 pounds, were caught by one boat in one night. The fishermen only desisted when all their bait was consumed, or they would have captured several more, the fish biting very freely.

A sermon was preached at Bethel Chapel by the Rev. Octavius Brock, B. A., for the benefit of the Guernsey Infant School, when a collection was raised of £7 9s. 6d.

The Rev. Edward Guille, M. A., preached a sermon at the town church, on behalf of the National Schools, when £7 were contributed to the funds.

Methodist New Connexion Missions.—Two sermons in behalf of the Methodist New Connexion Missions to Ireland and the Canadas, were preached in Zion Chapel, by the Rev. S. Jones, of London. A public meeting was held in the same place, with a view to the advocacy of the cause of Missions, and the establishment of an Auxiliary Missionary Society in this town. The audience, notwithstanding the unfavourable state of the weather, was large and respectable. The meeting was opened with singing and prayer by the Rev. W. Wild, minister of Eldad Chapel, after which Thomas Le Relliley, Esq., Jurat of the Royal Court, was called to the chair. After a short but appropriate speech from the chairman, a statement of the extent and prospects of the Missions was given, which statement included a letter addressed to the meeting by the Rev. W. Cooke, superintendent of the Irish Missions, and who was for a short time minister of Zion Chapel. The meeting was then addressed by the Rev. J. Major, (Bryanite), Revds. W. Laxon, and W. Wild (Independents), Mr. James Morris, Rev. J. S. Hine (Independent), and Revds. S. Jones, and J. Hudson, of the Methodist New Connexion. A strong feeling of commiseration in behalf of the religiously destitute state of Ireland appeared to be excited; several resolutions in the nature of pledges to support the missions were adopted; and a committee was appointed to carry those resolutions into effect. The collections amounted to about £18.

Vessels launched.—The schooner Ellen, measuring 58 tons new measurement, and built by Mr. William Jones for Captain Potter and Mr. John Jones; the Victoria, measuring 59 tons, and built by Mr. W. Machon, for Messrs. Hancock, Oliver, David and Morris; and the Sophia, measuring 58 tons, and built by Messrs. Vandin and De Putron, for Mr. Peter Langlois and Co. were all launched during this month; the Victoria with her masts and yards standing.

JERSEY.

States Meetings.—The amended law on the exportation of corn, which had been lodged *ex Grefe*, was adopted, and will be found elsewhere. The penalties for its violation were thus regulated: one-sixth to the crown, one-sixth to the prison, one-third to the hospital, and one-third to the informer.—The petition, praying for the introduction of a new copper coinage, was lodged *ex Grefe*.—The constable of St. Helier moved that the law on distilleries, recently enacted by the States, be forthwith suspended, whilst the measure for its amendment was under consideration. For the motion, 10; against it, 18. Rejected by a majority of 8.—It was decided that Lieutenant Sparks should be reappointed to the office of inspector of the oyster fisheries, *pro tem*, at a salary of £190 per annum, by a majority of 1, the number being 14 against 13.

Royal Court.—The Court declared the Jersey British Banking Company *en déastre*.—Mr. Philip Payn, printer and publisher of the *British Press* newspaper, was allowed to put his affairs into the hands of judicial trustees, that he might have a year and a day in which to arrange with his creditors.—Mr. Thomas Turner, brewer, of

Gloucester-Street, St. Helier, Mr. Mark Sloman, late of Fenchurch-Street, London, and Mr. George Le Scelleur, were severally allowed to make cession of their property, for the benefit of their creditors.—Mr. Blampland was sworn in centener of St. Peter's parish.—Robert Walter Baldock, Esq., of Windsor Crescent, and his wife, were separated *quant aux biens*.—Edward Vardon was sworn in as guardian of the children of John Coutanche, deceased.

CORN LAW.

The following is a translation of the Act passed by the States on the 31st ult., to regulate the exportation of corn from this island:—

By the States of the island of Jersey, the year 1837, the 31st day of August.

The States, with the view of preventing all fraud in the exportation of corn from this island, and of flour made from grain of the island, which the inhabitants have a right, under the protection of the privileges of the country to export free of duty to the United Kingdom, have adopted the following regulations:—

Article 1.—Each cultivator of grain shall be bound, between the 1st and 24th of June every

year, to give the Constable or *Chef de Police* of his parish, a declaration signed by himself, of the quantity of ground that he has sown with corn, expressing at the same time the quality of the said grain, under a penalty of being deprived of the right of exporting himself, or selling for exportation, the growth of that year. The Constable, or *Chef de Police*, shall enter an alphabetical list of the said declarations in a book, and shall send to the office of the *Greffier* a copy of the said list, signed by him, in the course of the month of July following. Two copies of the said book, in blank and ruled, shall be sent by the *Greffier* to each Constable, and this at the expense of the States.

Art. 2.—He who shall export grain of his own growth, as also he who shall sell it to another to export to the United Kingdom, under the protection of the privileges of the island, shall be bound to make a declaration on the faith of an oath, before a Magistrate of the Royal Court, of the number of verges of ground he has cultivated with grain, conformably to the declaration that he had made to the Constable or *Chef de Police* of his parish, and that such grain or such flour is of his own proper growth; which declaration shall be sent to the custom-house for the person who shall export such grain or flour, under penalty that the said grain or the said flour shall be deprived of the right of exportation, as the produce of the country.

Those who receive tithes or rents payable in kind, may export, or sell for exportation to the United Kingdom, in virtue of the privileges of the country, the produce of the said tithes or rents, on passing an affidavit declaring that the said grain is the produce of the said tithes or rents, and that it is the growth of the country.

Art. 3.—Whoever shall export from this island to the United Kingdom, grain or flour that he shall have bought as being the produce of the island, shall be bound to make a declaration, on the faith of an oath, before a Magistrate of the Royal Court, declaring the name of the persons from whom he had bought such grain or such flour, and shall send to the custom-house the declarations mentioned in Art. 2, under penalty that the said grain or flour shall be deprived of the right of exportation, as the produce of the country.

Art. 4.—The declarations mentioned in Articles 2 and 3 shall be made conformably to the annexed forms of the present regulations. They ought to be dated and signed, and the quantity of the produce shall be declared in full length, and not in figures.

Art. 5.—Every person convicted of having falsified a declaration, or of having passed a false one, required by the present law, or who shall make use of such declaration, knowing that it had been falsified, or that it is false, shall be liable to a fine not exceeding one hundred pounds sterling, shall suffer an imprisonment at hard labour of three months at the least, and not exceeding one year.

Art. 6.—The said fines and confiscations shall be applicable one-sixth to the Queen, one-sixth to the prison, one-third to the general hospital, and the other third to the Informer.

ADDITIONAL ARTICLE.—Seeing that the period fixed for the transmission of the declarations prescribed by Article 1 is passed, and that nevertheless it is necessary to prove the quantity of ground cultivated with grain, in order to put the present law in execution for the current year; all cultivators of grain shall be bound to send to the Constable, or *Chef de Police* of their parish, the declaration prescribed by Article 1, in the space of one month from the date of this law, under the penalties prescribed in said Article.

Affidavit or declaration, required by Article 2, of him who shall sell grain or flour, the produce of this island, for exportation:—

THE ISLAND OF JERSEY.

Before one of the Magistrates of the Royal Court of this island, undersigned.

Has appeared personally, —, of the Vingtaine of —, in the parish of —, who has declared on the faith of an oath that he has cultivated in the year — verges of —, conformably to his declaration made to the Constable of the said parish, and that he has sold to —, for exportation to the United Kingdom, — cabots of —, the produce of the said ground, which — may enter into the United Kingdom free of duty.

Made and passed before us, the — day of —, 183—.

Affidavit or declaration required by Article 3, for the persons who export, or sell for exportation, grain, the produce of tithes or rents due in kind.

THE ISLAND OF JERSEY.

Before one of the Magistrates of the Royal Court of this island, undersigned.

Has appeared personally, —, of the parish of —, who has declared on the faith of an oath, that — which he sells or exports, are the produce of tithes or rents payable in kind, in his quality of —, which grain is of the growth of the country, and may pass into the United Kingdom free of duty, in virtue of the privileges of this island.

Made and passed at Jersey, this — day of —, 183—.

Oyster Fishery.—Foreign Office, September 5, 1837.—Sir,—In reply to your letter of the 28th ultimo, I am directed by Viscount Palmerston to acquaint you that his lordship has appointed M. Perrier, now her Majesty's Consul at Brest, and Lieutenant Sparks, R.N., inspector of the Jersey Oyster Fisheries, as the British members of the mixed commission for making a new arrangement respecting the limits to be observed by the British and French vessels engaged in the Oyster Fisheries between Jersey and the adjoining coast of France, and that those gentlemen will be directed to proceed, without loss of time, to join the French commissioners, for the purpose of entering upon the business with which the commission is charged.

I am, Sir, your most obedient, humble Servant,
(Signed) W. FOX STRANGWAYS.

F. Le Breton, Esq.,

President of the Chamber of Commerce, Jersey.

The expenses which the States have incurred, in their endeavours to establish and protect the oyster fishery on this coast, amount for the three last years to the following sums, viz:

For purchasing oysters £2,803 6 1
For salaries, purchase of a cutter, &c. 1,063 6 1

£3,866 12 2

Official Appointments.—Mr. Thomas Much was unanimously elected by the parish meeting on Tuesday last, to the office of Vingtenier of the Canton de Bas, in the place of Mr. Philip Manger, who has at last been sworn in clerk of the parish of St. Helier, to which he was elected in 1834.

Mr. John Philip De Ste. Croix was sworn in Stipuland Denunciator.

Miscellaneous.—The following petition on the subject of the copper currency of this island, has received the signatures of one hundred and twenty-three tradesmen of St. Helier's.

"To Sir John de Veulle, Knight, President, and to his Excellency Major-General Archibald Campbell, Lieutenant Governor, and the members of the States of the island of Jersey.

"The petition of the undersigned merchant shopkeepers of the town and parish of St. Helier, most humbly sheweth:

"That for a number of years the want of a

good copper currency has been felt in this island, and that several persons, aware of the want of copper money which the extensive trade of the island experienced, have introduced tokens and other base copper coins, which are no longer in circulation in England nor in foreign countries.

"That several shopkeepers, considering that if an end is not put to this sort of traffic, which would ultimately occasion a considerable loss to the public, have resolved not to receive as good copper money any other than that which has legal currency in the mother country, in France, and in Guernsey.

"Finally, your petitioners supplicate you to order, provisionally, that the legal copper coins of Great Britain, of France, and of the States of Guernsey, be the only legal currency in this island; and to supply the deficiency which will be occasioned by the suppression of the base copper pieces in circulation in this island, your petitioners pray you to cause to be coined a copper coin in the same manner as the States of Guernsey.

"And your petitioners will ever pray, &c.
Jersey, 14th August, 1837."

Museum.—There are two very curious objects in the Museum which, we believe, have not yet been described, and which appear to have attracted but little attention. These are two sun-baked

bricks, brought from Thebes by the late Mr. J. Gossett. They are placed under a glass case, at a little distance from the head of the mummy. A ticket on the one marked A, thus describes it: "Sun baked brick with straw, which the Israelites manufactured for the Pharaohs, stamped with the name of Remeses the Second, the supposed great Sesostris." The other brick is stamped with the name Thotmes the Third.—the Pharaoh during whose reign the Exodus of the Israelites from Egypt took place, 1496 years before Christ. On comparing these two bricks together, a striking difference is observed; they are both composed of mud, clay, and straw, but in the first brick a very small portion of the latter article is perceived; whilst in the latter which was manufactured by the Egyptians, a much greater quantity of straw is used. To explain this difference, it is first necessary to know that the Egyptian reapers merely cut off the ears of corn and left the straw standing in the ground. This straw was afterwards plucked up by the hand for the use of the brick-makers; and as this was both tedious and toilsome, we may estimate the injustice of Pharaoh in refusing to supply straw to the captive Israelites.

Mr. Pettigrew delivered five lectures on Egyptian Antiquities, and unrolled the mummy brought from Egypt by the late John Gossett, Esq. His receipts amounted to £106 nett.

SARNIAN MELODIES.—No. 14.

OUR FATHERS.

I.
THE sea kings came over the wave
That frothed 'neath the foam of their prow,
Stroke after stroke as the rowers gave
It rivalled their own native snows:
They came from those regions afar
Where the mountain, the rock and the pine,
Like giants preside o'er the elements' war,
And the summers' long day o'er the desert doth shine.

II.
Like eagles they sought for the sun,
Nor shrunk from the blaze of its light,
Tell their deeds, ye countries o'errun!
Ye nations! who met them in fight:—
Black as the shade of their dark raven plume,
The ravager, Death, on their tall navies rode,
Their chieftains red arms held the gates of the tomb,
And closed them at will o'er a realm's last abode.

III.
Their race of achievement is run
And their deeds live alone in story;
The proud Frank, alas! tramples on
The earliest scenes of their glory.
And the Saxon hems round with his still flowing tide
The remnant of those with the Conqueror that past,
'Till no research can longer the races divide,
And their dust with the vanquished lies mingled at last.

IV.
Then here's to the Norman's true heirs,
And the land where their ashes are low—
The land we have kept for a thousand years,
In spite of every foe—
And unconquered the isles shall for ever remain,
Whilst a vessel can stem, or a plank swim the waves,
Or in their defence an arm strike on the plain,
For Normans may perish but never be slaves.

P.

Since the publication of our last number, we have ascertained that the word "Poldavy," mentioned at page 180, means "a sort of canvass, wherewith sail-ware was made."—BAILEY'S Dictionary.

THE
GUERNSEY & JERSEY MAGAZINE.

NOVEMBER, 1837.

ON THE SECONDARY EFFECTS OF MISSIONARY LABOUR.

It is the province of the divine, to note and explain the religious usefulness of Missionary labour. The political observer has only to deal with the secondary or collateral benefits which that labour produces on social civilization, as an instrument of diffusing knowledge, of encouraging commerce, and spreading a love of the arts and sciences. This field of inquiry is wide and instructive, if comparisons be instituted between the ancient and modern mode of colonization, not only in reference to the means employed, but also as to the final results. The investigation would present still more enlarged and comprehensive views, if connected with the auxiliary mechanism of steam and printing, which are the peculiar armoury of modern intellect. Were the human mind led into a proper direction to reflect on the value of missionary labours, even in the limited sense of political utility, we feel confident that, large as are the sums now annually raised for their support, that fund would be greatly augmented by contributions from those, who now withhold their support, from regarding the missionary cause merely as a sectarian institution.

The sentiments of every heart imbued with divine truth must respond to the Christian philosophy expressed in the following extract from the writings of Doctor Chalmers, in which he so eloquently portrays the character, spirit, and feelings of a missionary: "What the man of liberal philosophy is in sentiment, the missionary is in practice. He sees in every man a partaker of his own nature, and a brother of his own species. He contemplates the human mind in the generality of its great elements. He enters upon the wide field of benevolence, and disdains the geographical barriers by which little men would shut out one half of the species from the kind offices of the other. His business is with man, and let his localities be what they may, enough for his large and noble heart that he is bone of the same bone. To get at him he will shun no dangers; he will spare himself no fatigue; he will brave every element of heaven; he will hazard the extremities of every clime; he will cross seas, and work his

persevering way through the briars and thickets of the wilderness. In perils of water, in perils of robbers, in perils by the heathen, in weariness and painfulness, he seeks after him. The caste and the colour are nothing to the comprehensive eye of a missionary. His is the broad principle of good will to the children of men. His doings are with the species; and, overlooking all the accidents of climate or of country, enough for him, if the individual he is in quest of be a man—a brother of the same nature, with a body which a few years will bring to the grave, and a spirit which must return to God who gave it."

The chief impediment to the advance and permanency of that species of civilization which we may call fraternizing, as tending to bring all mankind within the circle of one common brotherhood, has been the want of an universal standard of right and wrong. We find it indeed most clearly announced in the moral precepts of Christianity; but the ancients knew it not, and the moderns have rarely made it the practical rule of conduct. Its observance, as a line of duty, is of recent growth, and is distinctive of the missionary character. The immediate effect of mixing with persons of various habits and modes of thinking, seems to be, that of unsettling the principles upon which a man previously acted, without substituting any better rule than the one that has been destroyed. Even reflecting men, bewildered by dissimilar and contradictory systems of moral judgment adopted by different ages and nations, have doubted the existence of any real and permanent standard, and have considered it as the mere creature of habit and education. Hence the deadly hatred which reigns between persons of narrow views, who, while they differ in manners, or in political and religious opinion, happen at the same time to be members of the same society. Each regarding the manners to which he has been accustomed as the sole standard of rectitude, views with abhorrence any deviation from them. Among rude tribes, the terms of stranger and enemy are synonymous. Now, the missionary teaches but one rule of human conduct, which is universal in its obligation, and thus he becomes the herald of harmony, not of discord, preaching peace, and good will, and brotherly love, to all men.

The evil effects of the absence of a fixed standard of morals, based on the religious sanction, are glaringly visible in those ages called classical. Greece, during her earlier ages, poured numerous colonies upon the fertile shores of Italy and Asia Minor. All these states, though exhibiting varieties of form and character, were still united by the same name, the same origin, and the same language. Greece, therefore, (under which name we would comprehend Peloponesus and the coasts of the *Ægean Sea*) had under her immediate eye, as it were, every various aspect under which it was possible for man to be viewed. Within herself, the rude and simple Arcadia; the stern and hardy Lacedemon; the lively Athens; the voluptuous Corinth. On one side, the splendid and opulent cities of

Græcia Major and Sicily ; on the other, the refined and effeminate Ionia. Her philosophers, who formed the intellectual character of the people, and gave a tone to society, had travelled into distant countries, and imbued their theories and systems with the illusions or the wisdom of Egypt and India. Hence the conflicting doctrines taught by them, subversive of all unity in the moral standard of right and wrong. The Pyrrhonists professed absolute scepticism : the atomic hypothesis found favour with Leucippus and Democritus ; Zeno denied the existence of pain ; Epicurus insisted on pleasure being the chief good ; Pythagoras invented the metempsychosis, while Plato elevated his thoughts to the immortality of the soul. Here, then, were presented all the elements of discord, embarrassing the acutest reasoners, and mystifying the simplest truths ; dividing society into sections, and enflaming each section with hatred and scorn against its opponent ; for they had no common tribunal to which to appeal ; but, while fighting against each other, had a common enemy to encounter in the priests of polytheism. The judicial murder of Socrates is the clearest illustration of the spirit of that age, and of the consequences which must result from the absence of a recognized and universal standard of morality, such a standard as the colonizing missionary can present to the aborigines of a heathen or untutored nation.

Rome, at the time when her genius was at its zenith, held intercourse with all nations of the known world, either as subjects, allies, or enemies. But her great men, engaged in continual missions, sought rather to increase their own wealth by pillaging the people whom they visited, than improve their social happiness. What was held back as a bribe, was extorted by menace. Never perhaps was there so sudden a transition from poverty to the most extreme opulence, as in Rome, after the fall of Carthage, and when the reduction of Greece had laid open the wealthy provinces of Asia to proconsular rapacity. Her senators, formerly so poor and hardy, became suddenly possessed of imperial fortunes, the spoils of the conquered world. Sallust makes Cataline describe them as oppressed by the weight of their fortunes, and vainly devising modes of expenditure. All the great writers of the age labour for words to express their detestation of this concentration of wealth. *Auri sacra fames ; Amor sceleratus habendi ; Opes irritamenta malorum.* These are only a few of many similar expressions ; and the feeling and eloquent manner in which they always touch upon this subject, proves how deeply they were penetrated by it. Virgil indeed places Crassus in hell, as the punishment of the avarice which induced him to sell his country for gold : *Vendidit hic auro patriam dominumque potentem imposuit.* These sentiments seem to be fully justified by that unparalleled profligacy to which they gave rise. In a country where wealth becomes an object of idolatry, the moral standard must be at a low ebb, inducing mean sycophancy among the poor, and pride and tyranny among the rich.

If we descend to periods less remote, and consider the line of conduct pursued by the first discoverers of South America, the annals of the new world will testify the revolting atrocities of the Spanish and Portuguese system of colonization. They were fired with an unbounded lust of wealth, to the utter rejection of all religious obligation or moral restraint, while the difference of manners and appearance made the natives be regarded as beings of an inferior species, and this variation of national character was the pretext for consigning them, without remorse, to confiscation, tortures, slavery, and death. Horrors were committed, which no pen can describe ; and hardly, throughout the whole extent of Asia, Africa, and America, is there any shore which European ambition has not deluged with blood. The priests declared that no atonement had been made for the souls of the blacks, and the Christian religion was propagated by them as a consuming fire, which feeds its own flames by destroying all with which it comes in contact. The ambition of the first conquerors was satisfied with usurping the proprietorship of the soil, and making slaves of the inhabitants ; but, when their authority had become firmly settled, there arrived from the old continent inquisitors more brutally ferocious than Pizarro or Cortez, who, not satisfied with depriving the aborigines of their freedom, burnt them alive as a religious duty. Barthelmy de las Casas, the most faithful and most judicious historian who has written on the new world, estimates the number of victims at twelve millions, who were exterminated by fire and sword. Let such a system of colonization be compared with that pursued by the modern missionary : the hint alone is sufficient to awaken reflections illustrating the contrast.

We may here appropriately quote a passage from Dr. Johnson, which quite accords with the views here sought to be explained and established : "What mankind has lost and gained by European conquests, it would be long to compare, and very difficult to estimate. Much knowledge has been acquired, and much cruelty committed ; the belief of religion has been very little propagated, and its laws have been outrageously and enormously violated. The Europeans have scarcely visited any coast, but to gratify avarice and extend corruption ; to arrogate dominion without right, and practice cruelty without incentive. Happy had it been for the oppressed, if the designs of the original invader had slept in his bosom ; and, surely, more happy for the oppressors ! But there is reason to hope that, out of much evil, good may be sometimes produced, and that the light of the Gospel will, at last, illuminate the sands of Africa and the deserts of America ; though its progress cannot but be slow, when it is so much obstructed by the lives of men calling themselves Christians."

Since Doctor Johnson wrote, his prognostication has been realized, by the systematic and organized structure of missionary establishments, aided collaterally by the abolition of the slave trade, so far as England is concerned ; and her example must, sooner or later, be followed by those

states which still tolerate, or wink at, this inhuman traffic. The missionary is not armed with a sword, but with the Gospel ; he seeks not to plunder the natives of any country, but to enlighten their understandings ; far from degrading them into vassalage, he prompts them to respect the dignity of human nature ; by abstaining from grasping at worldly wealth, his example accords with the precepts he teaches, and thus leads those with whom he lives, to look to a future state for reward and unmixed happiness ; he acts as the friend of those on whom he enjoins the duty of peace and good will to their neighbours ; by such rules of conduct, the missionary gains esteem, wins confidence, commands respect ; while the sincerity of his professions, being proved by the consistency of his character, the doubting are converted, and the believers confirmed in the true faith. Herein consists the efficient usefulness of the missionary, for his conquests, though slow, are sure and permanent, and the ground once gained, is never lost.

As an instrument of colonization, the missionary fills an important sphere, and most particularly so, when his labours are directed to the improvement of savage and incipiently civilized people. By instilling into them, at first, correct principles, they have nothing to unlearn, and as their population increases, they will be less tainted with vice than those nations which have not had their infancy nurtured by similar instructors. They thus become sooner fitted to relish and cultivate the arts and sciences, and appreciate the beneficial restrictions of law and government. They are early brought to recognize the sacredness of property, and respect the produce of industry, retaining their own, without trespassing on that of their neighbour. It requires but little effort to train them in habits of moral discipline, and direct their labour to the prosecution of agriculture. While, therefore, the active and intelligent missionary is discharging his primary duty of cheering savages and semi-barbarians with the hope of a life to come, he is lessening the temporal miseries of his fellow-creatures, by inculcating those social virtues which characterize civilization.

One of the essential concomitants of the progress of genuine religion, is a thirst for knowledge. This effect began to show itself immediately after the reformation, and it has gone on increasing to our days. The wish to circulate the Scriptures conduced to the improvement of printing ; the desire of commenting on different texts forcibly stimulated the revival of literature ; these were followed by the multiplication of books and the establishment of schools. Knowledge always increases ; it is like fire, which must first be kindled by some external agent, but which will afterwards propagate itself in every direction. Now, the missionary may be considered as that external agent ; he imparts to the illiterate the arts and sciences of his own country, and, by stimulating curiosity, rouses the slumbering energies of a people into exercise. Without his hints and

explanations, the slothfulness of inert repose would not be conquered, nor the lawlessness of unrestrained impulse be curbed; he draws out the latent faculties, and directs them into the straight path; as a pioneer, he extirpates the roots and brambles; and, as an engineer, shows how the once desert wilderness may be crowned with smiling plenty. These are among the secondary effects of religious missions.

The political philosopher who really deserves that appellation, cannot view this class of men without esteem, nor think of their cause without aspirations for its success. The cannon and the bayonet have annexed colonies to the crown of England, but the means were unhallowed, for war is a sin. But the conquests achieved by the missionary are pure and uncontaminated, and where they plant their standard, they extend British interests, British influence, and the British empire. They fight under no blood-stained banner, but under the standard of the Cross; no wailing widow, nor deserted child, curses their victories; of them it cannot be said, "What millions died that Cæsar might be great?" Their triumphs occasion no tears to flow, no mothers to lament; their track is not marked by desolate cities or depopulated fields. Theirs are the triumphs of reason over ignorance, of civilization over barbarism, of benevolence over cruelty, of justice over oppression.

In order to give every possible efficiency to missionary labour in reference to the objects here stated, the greatest care should be taken in the education of those to whom this duty is allotted. They ought to be eminently qualified in the sciences, in jurisprudence, and political economy, and entirely free from any sectarian spirit. Extended views and an enlarged philanthropy are expected from this class of men; nor should the interests of any particular denomination be sought to be promoted. The success of one should be deemed to be the success of all. Each class forms a division of the great reforming and instructing army, co-operating for the same end, and fighting against one common enemy. It is this great truth that ever should be present to the mind of the missionary, who should suffer no peculiar views to sever him from others, who have the same object in view, but who pursue a different road. There may be pens and partitions in the fold, but the fold itself is surrounded with one common fence; and, in this spirit, the conversion of the heathen to Christianity, and of the savage to civilization, should be attempted. We may learn this policy from the language of the great Shepherd, who said, "other sheep have I which are not of this fold, them also I must bring in."

SONNETS.

MORNING.

MERRILY trills the lark—hoarse coos the dove,—
 Sweetly the linnet chirps—all greet fair morn,—
 Blithely the huntsman winds his deep-toned horn,—
 Plaintive the shepherd pipes his lay of love—
 Bleating, his flocks o'er sumptuous pastures rove—
 Clear on the breeze the ploughman's whistle's borne—
 Gladsome the milk-maid sings, whilst waving corn
 Rustles in concert soft; and, loud above
 These gladdening sounds, the steed's blithe neighing,
 And the herd's lowing burst upon the ear!
 Roused from my couch, I o'er the gay scene straying,
 Deeply enraptured see, enchanted hear,—
 Till, swelling high with gratitude, my soul
 Pours forth its thanks to Him that framed the whole.

EVENING. (*Sea-view from Fort George.*)

How placid, Ocean, is thy bosom now!
 So beauteous is thy vast expanse of blue,
 Thou seem'st a sky of yet a lovelier hue
 Than is the one above thee. Gently flow
 Thy rippling waves, o'er which the breezes blow
 So mildly, that, as from my ravished view
 The stately vessel, with its joyous crew,
 Glides o'er thy breast majestically slow,
 Methinks yon summer sky has o'er thee showered
 An oily surface. Lo! the gold-hued west
 Amongst thy glassy blue, has sudden poured
 Bright crimson streams:—now, ere he sinks to rest,
 Sol bathes in thy cool depths his farewell rays,
 And now he glides beneath th'horizon's blaze.

NIGHT.

EARTH wears its antemundane garb,—the sky,
 Cloud-robed, hides moon and stars from mortal sight
 And calm reigns sleep's companion, ebon night:—
 But lo! the cloudy curtain's raised!—My eye,
 Dazzled, beholds the Queen of Light on high,
 'Midst her vast empire gemm'd with worlds of light.
 Thus—when the first day's sun, with glory bright,
 Had sunk 'mongst ev'ning's heav'nly purple dye—
 Did heaven, dispelling sable night, unveil
 Yon brilliant myriads.—Grant, blessed Deity,
 That, at the approach of death, the tyrant pale,
 Yon star-decked vault may be my canopy,
 These birds, my priest—this flowery bank, my bed;—
 Thus charmed, I'd sink to slumber with the dead.

J. D. PIERCEY.

TAREMPOU AND SERINDA.

A Tale of Thibet.

It was on the banks of the sonorous river Tsampee, whose thundering cataracts refresh the burning soil, and sometimes shake the mighty mountains which divide Thibet from the empire of the Mogul, that there lived a wealthy and revered Lama, whose lands were tributary to the Supreme Lama, or Sacerdotal Emperor, who governs all the land from China to the pathless desert of Cobi; but although his flocks and herds were scattered over an hundred hills, and the number of his slaves ex-

ceeded the breathings of man's life, yet he was chiefly known throughout all the East, as the father of Serinda. It was the beauty, the virtue, and the accomplishments of his daughter, which gave him all his fame and all his happiness; for Lama Zarin considered the advantages which birth, and wealth, and power conferred, as trifling when compared with the honoured title of father of Serinda. All the anxiety he ever felt proceeded from his wishes for her welfare, when he could no longer guard the innocence of her, whom he expected soon to quit for ever. A dreadful malady, which had long seized him at a stated hour each day, he found was gaining on him, and threatened, in spite of all the arts of medicine, to put a speedy period to his existence.

One day after a severe fit, which attacked him with more than usual violence, he sent for his fair Serinda, and gently beckoning her to approach his couch, he addressed her in these words: "Daughter of my hopes and fears! Heaven grant that thou mayest smile for ever! yet while my soul confesses its delight in gazing on thee, attend to the foreboding melancholy dictates of a dying father's spirit; my Serinda, whose breath refreshes like the rose, and whose purity should, like the jessamine, diffuse voluptuous satisfaction on all around her, disturbs the peace of her dejected father, embittering all the comforts of his life, and making his approach to death more terrible." At these words, Serinda, unconscious of offence, and doubting what she had heard, fell on her knees, and urged her father to explain his meaning; while he, gently raising her, proceeded thus: "The angel of death, who admonishes and warns the faithful in the hour of sickness, ere he strikes the fatal blow, has summoned me to join thy holy mother, who died when she gave birth to my Serinda; yet let me not depart to the unknown and fearful land of death, and leave my daughter unprotected. Oh! my Serinda, speak! Hast thou ever seriously reflected on the danger to which thy orphan state must soon be subject, surrounded as thou then wilt be by suitor Lamas, of various dispositions and pretensions; some with mercenary cunning, wooing thy possessions through thy person; others haughtily demanding both, and threatening a helpless heiress with their powerful love?" He then reminded her that he had from time to time presented her with the portraits of the several princes or lamas, who had solicited an union with his house, and which they had sent, according to the custom of Thibet, where the sexes never see each other till they are married; he also repeated what he had himself also given her in writing,—an epitome of their several characters, their good and evil qualities, their ages, their possessions, and their rank in the Lama priesthood, and concluded by saying: "Tell me then, my Serinda, which of these mighty princes can claim a preference in the soul of my beloved daughter?" Serinda blushed and sighed, but answered not. Lama Zarin desired that she would withdraw to consult the paper he had given her, to compare it with the several portraits, and determine, before his next day's fit came on, which might be most deserving of her love. At the word love, Serinda blushed again, but knew not why,—her father saw the crimson on her cheek, but said it was the timid flushing of a virgin's modesty, and urged her to retire, and to be quick in her decision. Serinda, with innocence, replied, "My father knows that he is himself the only man I ever saw, and I think the only being I can ever love; at least, my love will ever be confined to those objects which delight or benefit my father, whether they be men or beasts; I love this favourite dog, which my father so frequently caresses; I loved the favour-

ite horse on which my father rode, till by a fall he put his master's life in danger; then I hated him; but when the tiger had seized my father on the ground, and he was rescued by his faithful slave, I loved Tarempou; and since my father daily acknowledges that he saved his life, I love Tarempou still." The father listened to her artless confession, and told her Tarempou was not a lama. "But," said she, "which of all those lamas who now demand my love, has made an interest in my heart by services rendered to my father, like the slave Tarempou? and yet I have not seen his person, or his picture, nor know I whether he be old or young; but he has saved my father's life, and is a favourite of my father's; therefore it is my duty to love, and I will love, Tarempou." The old lama, smiling, gently rebuked his daughter for the freedom of her expressions, and desired her to withdraw, after he had explained to her that love was impious, according to the laws of Thibet, between any of the race of lamas and their slaves. Serinda left her father, and as she stroked his favourite dog, which lay at the door of his apartment, a tear trembled in her eye, lest she might be guilty of impiety.

And now the slave Tarempou who, for his services, had been advanced from chief of the shepherds to chief of the household, had an audience of his master; and, observing him to be unusually dejected, declared that he had himself acquired some knowledge of medicine, and humbly begged permission to try his skill, where every other attempt had proved unsuccessful. The lama heard this proposal with a mixture of pleasure and contempt, or, as it is expressed in the original, "his eyes flashed joy, his brow looked forgiveness, but disdain and incredulity smiled upon his lips, while his tongue answered the faithful Tarempou, in gratitude and doubt." The slave replied: "May lama Zarin live for ever! I boast no secret antidote, no mystic charm to work a sudden miracle; but I have been taught in Europe the gradual effects of alterative medicines; it is from these alone that I expect to gain in time, by perseverance, a complete victory over the disease; and if, in seven days, the smallest change encourages me to persevere, I will boldly look forward to your entire restoration." The prince assented, and from that day became the patient of Tarempou, whose situation, as chief of the household, and physician, gave him a right to be at all times in the lama's presence, except when Serinda paid her daily visit to her father, and then he had notice to withdraw.

The first week had not elapsed before the lama was convinced that his disease gave way to the medicines prescribed; the fits returned indeed, but every day they attacked him with less violence, and were of shorter duration. In proportion as Tarempou became less necessary as a physician, his company became more desirable as a friend: he possessed a lively imagination, and had improved his naturally good understanding by travels in distant countries; thus his conversation often turned on subjects which were quite new to the delighted lama; they talked of laws, religion, and the customs of foreign kingdoms, comparing them with those of Thibet; and, by degrees, the slave became the friend, and almost the equal, of his master. Among other topics of discourse, the lama would often enlarge on the virtues and endowments of his beloved daughter, while Tarempou listened with delight, and felt an interest in the subject, which he was at a loss himself to comprehend. On the other hand, in the conversations of the lama with Serinda, he could talk of nothing but the skill and wisdom of Tarempou, wondering at such various knowledge in so young a man.

It happened one day, when he had been repeating to his daughter the account Tarempou gave of European manners, that Serinda sighed and blushed; her father asked the cause, when she ingeniously confessed that he had so often mentioned this young slave, that she could think of nothing but him night and day; and that in her dreams she saw him, and thought he was a lama worthy of her love; then turning to her father with artless innocence, she said: "Oh lama! can my sleep be impious." Her father saw her with deep emotion, and told her she must think of him no more. "I will endeavour to obey," she said, "but I shall dream, and sleep will impiously revive my banished waking thoughts." The lama, dreading the flame he had himself kindled in his daughter's bosom, endeavoured to check her rising passion, and resolved, thenceforth, never again to speak to her of the slave Tarempou; but it was already too late; love of the purest kind had taken full possession of the virgin's heart, and while she struggled to obey her father, the fierce contention between this unknown guest, and the dread of being impious, preyed upon her health, till feverish days and sleepless nights at length exposed her life to danger.

It was impossible for lama Zarin to conceal from Tarempou the sickness of Serinda; and, while he confessed his alarm for his fair daughter's safety, he plainly saw that he had too often described that daughter to his favourite; he saw what it was impossible for Tarempou to conceal; that he had been the fatal cause of mutual passion to two lovers who had never seen each other, and who, but for him, could never have heard of each other's amiable qualities. Thus situated, (even if the laws of Thibet had permitted the visit of a male physician,) prudence would have prevented his employing the only skill in which he now had confidence; but Serinda, whose disease was occasionally attended with delirium, would constantly call upon the name of Tarempou, often exclaiming: "He saved my father, and he alone can save the lingering Serinda."

Overcome by the entreaties of his love-sick daughter, the afflicted father, in an agony of grief, cursed the cruel laws of Thibet, and told her she should see Tarempou. Serinda heard with ecstasy this declaration, for, knowing that what a lama promises must be performed, his words became a balsam to the wounds of love; but the lama had not fixed the time when his sacred engagement was to be fulfilled; nor would he, till he had withdrawn, and weighed the consequences of what had fallen from his lips. The oftener he revolved the subject in his thoughts, the less appeared the difficulties; and having, by his conversation with Tarempou, raised his mind above the slavish prejudices and customs of his country, he at length resolved to overcome all scruples, and give his beloved daughter to the only man whom he thought worthy of her.

Full of the idea of their future happiness, he determined to obtain all that remained necessary for its completion, which was the sanction of that higher power to which all the lamas of Thibet are subject. He instantly dispatched messengers to the grand lama, who resides at Tonker, with whom his influence was so great, that he had no doubt of obtaining whatever he might ask, although unprecedented in the laws of Thibet,—laws which prohibit the holy race of lama from intermarrying with any but of their own sacred order. And now unable to suppress the joy he felt in communicating to the lovers that plan of future bliss which he had formed, he raised Tarempou to a pitch of hope which neither his love nor his ambition had ever dared to cherish; and to Serinda he pro-

mised, that the sight of her physician and her lover should only be deferred one week, or till the messenger returned from the grand lama at Tonker.

From this day the physician was no longer necessary; but the week appeared a tedious age to the expecting love of the young Tarempou, and his promised bride Serinda.

The seven days at length elapsed, when the messenger returned from Tonker, with the following answer: "The most sacred sultan, the mighty sovereign lama, who enjoyeth life for ever, and at whose nod a thousand princes perish, sendeth to lama Zarin, greeting. Report has long made known at Tonker the beauty of Serinda, and by thy messenger we learn the matchless excellence of thy slave Tarempou. In answer, therefore, to thy request, that these may be united, mark the purpose of our sovereign will, which not to obey is death throughout the realm of Thibet. The lovers shall not see each other, till they both stand before the sacred footsteps of our throne at Tonker, that we ourselves, in person, may witness the emotion of their amorous souls."

This answer, far from removing the suspense, created one a thousand times more terrible. The lama Zarin thought it portended ruin to himself and family; he now reflected on the rash steps he had taken, and feared that his sanguine hopes had been deceived by frequent conversations with a stranger, who had taught him to think lightly of the laws and customs of Thibet, and he reflected with horror on the known bigotry of the grand lama; he knew he must obey the summons, and trembled at his situation. Tarempou was too much enamoured to think of any danger, and all he feared was lest the beauty of Serinda should tempt the grand lama to seize her for himself. But she, in whose love-sick heart dwelt purest innocence, a fountain from whence sprang hope, which, branching into a thousand channels, diffused itself over her soul, and beamed in her countenance, half seen and half concealed, like the meandering veins that overspread her swelling bosom, she revered the lama for his decree, and thought it proceeded from his desire of being witness to the mutual happiness of virtuous love; with these sentiments she felt only joy at their departure, which took place that very day with all the pomp and retinue of eastern splendour.

Here in the original follows a very long detail of their journey, describing the number of their attendants, with the camels and elephants employed on the occasion: it relates that lama Zarin would sometimes travel in the sumptuous palanquin of his daughter, and sometimes ride on the same elephant with Tarempou, dividing his time between the conversation of each, but unable to suppress his apprehensions, or dissipate the fears of his foreboding mind. To compress the story within an appropriate space, we shall immediately proceed to the tribunal, which was held in the great HALL OF SILENCE, and leave the reader to imagine the magnificent solemnity of the scene. At the upper end of the superb apartment, sat, on a throne of massive gold, the supreme lama; before him, at some distance, were two altars smoking with fragrant incense, and around him knelt an hundred lamas, in silent adoration, for in Thibet all men pay divine honours to the supreme lama, who is supposed to live for ever, the same spirit passing from father to son. To this solemn tribunal lama Zarin was introduced by mutes, from an apartment exactly opposite to the throne, and he knelt down in awful silence between the two smoking altars: at the same time, from two doors facing

each other, were ushered in Tarempou and Serinda, each covered by a thick veil, which was fastened to the summit of their turbans, and touched the ground, and each, accompanied by a mute, fell prostrate before the throne. A dreadful silence now prevailed—all was still as the grave—while doubt, suspense, and horror, chilled the bosoms of the expecting lovers. In this fearful interval of silence, the throbbing of Serinda's heart became distinctly audible, and pierced the soul of Tarempou: the father heard it too; and a half-smothered sigh involuntarily stole from his bosom, and resounded through the echoing dome. At length the solemn deep-toned voice of the grand lama uttered these words: "Attend, and mark the will of him who speaks with the mouth of heaven! arise and hear! know that the promise of a lama is sacred; therefore are ye brought hither to behold each other, and in this august presence, by a solemn union, to receive the reward of love, which a fond father's praise has kindled in your souls, and which, he having promised, must be fulfilled. Prepare to remove the veils. Let lama Zarin join your hands, and then embrace each other: but on your lives, utter not a word; for know that, in the HALL OF SILENCE, it is death for any tongue to sound, but that which speaks the voice of heaven." He ceased, and his words resounding from the lofty roof, gradually died upon the ear till the same dreadful silence again reigned throughout the building. And now, at a given signal, the mutes removed the veils at the same moment, and discovered the beauteous persons of Tarempou and Serinda. What language can describe the matchless grace of each! far less convey an adequate idea of that expression, with which each beheld the other in ecstasies of joy, suspense, and rapture; but they gazed in silence, till by another signal from the throne, the father joined their hands, and then Tarempou, as commanded, embraced his lovely bride; while she, unable to support this trying moment, fainted in his arms; and now, Tarempou, regardless of the prohibition, exclaimed, "Help, my Serinda dies." Instantly the voice from the throne returned this melancholy sound, "Tarempou dies." Immediately two mutes approached with the fatal bow-string, and seizing Tarempou, fixed an instrument of silence on his lips, while other mutes hurried away Serinda, insensible of the danger of her lover; but the father, unable to restrain the anguish of his soul, cried out with bitterness; "If to speak, be death, let me die also; but first, I will execrate the savage customs, and curse the laws that doom the innocent." He would have proceeded, but other mutes surrounded him, and stopped his speech, as they had done Tarempou's. Then the supreme lama again addressed them in these words: "Know, presumptuous and devoted wretches, that before you broke that solemn law which enjoins silence in this sacred presence, you were already doomed to death. You, lama Zarin, for daring to degrade the holy priesthood of lama, by marrying your daughter to a slave; and thou, Tarempou, for presuming to ally yourself with one of that sacred race; the promise which this foolish lama made, was literally fulfilled; these daring rebels against the laws of Thibet, have seen, and been united to each other; and the embrace which was permitted, was doomed to be the last; now, therefore, mutes perform your office first on Tarempou." They accordingly bound the victim, who was already gagged, to one of the altars, and were fixing the cord about his neck, when they suddenly desisted, and prostrating themselves before Tarempou, they performed the same obeisance, which is paid only to the heir of the sacred throne

of Tonker. A general consternation seized all present; and the supreme lama, descending from his throne, approached Tarempou, on whose left shoulder, which had been uncovered by the executioners, he now perceived the mystic characters, with which the sacred family of Thibet are always distinguished at their birth. At the sight of the well known mark, the voice of nature confirmed the testimony thus made manifest, and falling on the neck of Tarempou, he exclaimed, "It is my son, my long lost son! quickly restore his voice; henceforward this place shall no longer be called the Hall of Silence, but of Joy; for in this place we will to-morrow celebrate the nuptials of Tarempou and Serinda."

The history then explains this mysterious event, by relating that some Jesuit missionaries, who had gained access to the capital of Thibet, in their zeal for religion, had stolen the heir of the throne, then an infant, hoping to make use of him in the conversion of that people; but in their retreat through the great desert of Cobi, they had been attacked by banditti, who killed the Jesuits, and sold the young lama for a slave; he had served in the Ottoman army; he had been taken by the knights of Malta, and afterwards became the servant of a French officer, with whom he travelled through Europe, and at length accompanied him to India; there, in an engagement with the Mahrattas, he had been again taken prisoner, and sold as a slave to some merchants of Thibet; by this means he came into the service of lama Zarin, without knowing any thing of his origin, or the meaning of those characters which he bore on his left shoulder, and which had effected this wonderful discovery.

The history concludes with saying, that Tarempou was wedded to the fair Serinda, and that their happiness was unexampled; that the lessons he had been taught in the school of adversity, and the observations he had made in the various countries he had seen, prepared him to abolish the many foolish and impious customs of Thibet; and he caused to be written over the throne of the great hall the following inscription.

"Mark the cries of distress, and give relief. Receive the blessings of the grateful, and rejoice in them. Harken to the words of age, experience, and goodness, and obey them. Stifle not the feelings of humanity, but encourage virtuous love, for the still small voice of innocence and nature is, in every country, the true voice of heaven."

THE LUSIAD OF CAMOENS.

LOUIS DE CAMOENS was descended from a noble, but poor family. The year of his birth is doubtful, but the usually received opinion fixes it in the year 1525. He is the only Portuguese poet, whose fame has extended itself beyond the Peninsula, and who enjoys an European reputation. Though he composed lyrics and dramas, his literary character rests on his great epic poem, usually known under the name of the *Lusiad*, but which the Portuguese entitle *Os Lusíados*, or *The Lusitanians*.

The object of Cameons was to produce a national work, consecrated to the glory of his countrymen, for though he lived and died in neglect, and poverty, and suffering, his patriotism was as constant as it was pure. It is by mistake that Vasco de Gama has been represented as *the* hero of the *Lusiad*; he is certainly *one* of the heroes prominently brought forward by the poet, but Cameons had a wider field of view than the celebration of the exploits of any individual. He desired to immortalize all the great

deeds of his countrymen in this epic, dwelling chiefly on the discoveries and conquests of the Portuguese in India, but also embracing whatever other illustrious actions they had performed in other quarters of the globe.

The machinery of the *Lusiad* is as novel as the plan. It blends together the system of mythology and the Christian religion. Venus, Mars, and Minerva, are employed by Camoens to represent love, war, and wisdom, and the senate of Olympus is convened to decide the fate of the Lusitanian navigators. But the conquest of India by Vasco de Gama was not supposed to be achieved without the aid of celestial interposition; accordingly, the almighty Father, the Virgin, and the Saints of the Romish calendar, are all equally interested in the accomplishment of this great undertaking. The *Lusiad* is divided into ten cantos, containing only eleven hundred and two stanzas, so that it is much shorter than the *Jerusalem Delivered* of Tasso, and indeed than most epic poems. Its distinctive character is that of an historical poem, from which may be collected all the most interesting information that relates to Portugal. Within the limits to which we are confined, we can only give a general idea of the plan of this epic, with some few extracts.

Soon after the fleet had left Lisbon on the voyage to India, Jupiter convenes the immortals, and announces to them that, according to an ancient order of the destinies, the Portuguese were to surpass in glory all the nations of the earth. Bacchus then declares himself apprehensive that they would eclipse the fame he had himself achieved in India, and avows himself hostile to the expedition. Venus, who sees a great similarity between the language of Portugal and ancient Rome, determines to espouse their cause; thus, the Olympian synod is immediately divided into two parties. Jupiter is prevailed on by Mars, who sides with Venus, to despatch Mercury to the Portuguese fleet, and instruct the commanders how to steer their course.

After having sailed many hundred leagues, the adventurers cast anchor at Mozambique. Bacchus now appears in the disguise of an old man, and exasperates the Cheik of Mozambique against Gama, who is entrapped in an ambuscade; but, though attacked by superior numbers, the Portuguese put their enemies to flight by their fire-arms, and seize the town. The Cheik now sues for peace, and offers the assistance of a pilot to conduct Gama on his voyage, but whom he secretly instructs to betray the fleet into certain destruction. Venus, however, counteracts this treachery. After incurring many other perils, they are conducted by Mercury to the kingdom of Melinda, inhabited by Moors, but who receive them with open arms, and every demonstration of hospitality.

The king of Melinda expresses a wish to be made acquainted with the history of Portugal, which draws forth a long speech from Gama, similar to the narrative of Ulysses to the Phæacians, and of Æneas to Dido. The hero commences his oration with a general description of Europe, commencing with Scandinavia, and then proceeding through Greece, and Rome, he reaches the Pyrennees. He recounts the glory of Spain, and then arrives at Portugal, of which he gives a complete history, from the earliest periods down to the sailing of the Lusitanian expedition. It is in this narrative that Camoens introduces the beautiful episode of Inez de Castro, whose unfortunate history will be found at page 298 of the first volume of this Magazine. The ill-fated lady thus addresses the king:

..... O, monarch, hear,
If e'er to thee the name of man was dear,
If prowling tiger's, or the wolf's wild brood,
Inspired by nature with the lust of blood,

Have yet been moved the weeping babe to spare,
Nor left, but tended with a nurse's care,
As Rome's great founders to the world were given;
Shalt thou, who wear'st the sacred stamp of heaven,
The human form divine, shalt thou deny
That aid, that pity, which e'en beasts supply!
O that thy heart were, as thy looks declare,
Of human mould, superfluous were my prayer;
Thou could'st not then a hapless damsel slay,
Whose sole offence in fond affection lay,
In faith to him who first his love confessed.
Who first to love allured his virgin breast.
In these my babes shalt thou thine image see
And still tremendous hurl thy rage at me?
Me, for their sakes, if yet thou wilt not spare,
Oh, let these infants prove thy pious care!
Soft pity's lenient current ever flows
From that brave breast where genuine valour glows;
That thou art brave, let vanquished Afric tell,
Then let thy pity o'er mine anguish swell;
Ah, let my woes unconscious of a crime,
Procure mine exile to some barbarous clime:
Give me to wander o'er the burning plains
Of Lybia's deserts, or the wild domains
Of Scythia's snow-clad rocks and frozen shore,—
There let me, hopeless of return, deplore.
Where ghastly horror fills the dreary vale,
Where shrieks and howlings die on every gale,
The lion's roaring and the tigers' yell;
There with mine infant race consigned to dwell,
There let me try that piety to find,
In vain by me implored from human kind:
There in some dreary cavern's rocky womb,
Amid the horrors of sepulchral gloom,
For him whose love I mourn, my love shall glow,
The sigh shall murmur, and the tear shall flow.
All my fond wish, and all my hope, to rear
These infant pledges of a love so dear,
Amidst my griefs a soothing, glad employ,
Amidst my fears a woeful, hopeless joy.
In tears she uttered: as the frozen snow
Touched by the spring's mild ray, begins to flow,
So just began to melt his stubborn soul
As mild-rayed pity o'er the tyrant stole,
But destiny forbade.

Her accusers, fearing the effect that the beauty of Inez and the innocence of her children might produce on the feelings of Alonzo, vehemently urge the necessity of her death, and at length the fatal sign is given.

Oh, foul disgrace, of knighthood lasting stain,
By men of arms an helpless lady slain!
Fair Inez, while her eyes to heaven appeal,
Resigns her bosom to the murdering steel:
That snowy neck, whose matchless form sustained
The loveliest face where all the graces reigned,
Whose charms so long the gallant prince inflamed
That her pale corse was Lisbon's queen proclaimed;
That snowy neck was stained with spouting gore,—
Another sword her beauteous bosom tore.
The flowers that glistened with her tears bedewed,
Now shrunk and languished with her blood imbrued.
As when a rose, erewhile of bloom so gay,
Thrown from the careless virgin's breast away,

Lies faded on the plain, the living red,
 The snowy white, and all its fragrance fled,
 So from her cheek the roses died away,
 And pale in death the lovely Inez lay.

Camoens closes this affecting episode with the following noble and plaintive passage:

O Sun, couldst thou so foul a crime behold,
 Nor veil thy head in darkness, as of old
 A sudden night unwonted horror cast
 O'er that dire banquet, where the sire's repast
 The son's torn limbs supplied!—Yet you, ye vales!
 Ye distant forests, and ye flowery dales!
 When pale and sinking to the dreadful fall,
 You heard her quivering lips on Pedro call;
 Your faithful echoes caught the parting sound,
 And Pedro! Pedro! mournful, sighed around.
 Nor less the wood-nymphs of Mondego's groves
 Bewailed the memory of her hapless loves:
 Her griefs they wept, and to a plaintive rill
 Transformed their tears, which weeps and murmurs still.
 To give immortal pity to her woe
 They taught the riv'let through her bowers to flow,
 And still through violet beds the fountain pours
 Its plaintive wailing, and is named Amours.
 Nor long her blood for vengeance cried in vain:
 Her gallant lord begins his awful reign.
 In vain her murderers for refuge fly,
 Spain's wildest hills no place of rest supply.
 The injured lover's and the monarch's ire,
 And stern-browed justice in their doom conspire,
 In hissing flames they die, and yield their souls in fire. }

The moderns are so familiar with remote navigation, and it is so difficult to view past times with the feelings of those who lived at the period described, that the voyage of Gama to the Indies, though really one of the boldest and most perilous enterprizes achieved by the courage of man, strikes us with far less admiration than it formerly excited. When King Emmanuel made choice of Gama to attempt his memorable passage by the Cape of Good Hope, there still remained a tract of two thousand leagues to be traversed, of unknown sea or coast, before the vessels could reach the shores of Malabar; for though Bartolomeo Diaz, in 1486, had passed the Cape, yet it was owing to a violent storm, which prevented him from making the least observation. The fleet of Gama consisted only of three small vessels of war and a transport, the united crews not exceeding more than one hundred and forty-eight hands fit for regular service. They set sail from the port of Belem, or Bethleem, about a league distant from Lisbon, on the 8th of July, 1497. After an anxious voyage of five months, they arrived in the latitude of the Cape of Good Hope. Here Camoens introduces the splendid episode of Adamastor, the spirit of the cape, who is supposed to threaten the adventurers with shipwreck, if they dared to pass his hitherto unapproached boundary. Gama thus describes the first appearance of this terrific vision to the king of Melinda:

I spoke, when rising through the darkened air,
 Appalled we saw a hideous phantom glare:
 High and enormous o'er the flood he towered,
 And thwart our way with sullen aspect loomed;
 An earthly paleness o'er his cheeks was spread,
 Erect uprose his hairs of withered red:

Writhing to speak, his sable lips disclose,
 Sharp and disjointed, his gnashing teeth's blue rows ;
 His haggard beard flowed quivering on the wind,
 Revenge and horror in his mien combined ;
 His clouded front, by withering lightnings scared,
 The inward anguish of his soul declared.
 His red eyes glowing from their dusky caves
 Shot livid fires. Far echoing o'er the waves
 His voice resounded as the cavern'd shore
 With hollow groan repeats the tempest's roar.

The spectre then addresses the adventurers in a prophetic strain, and foretells the fate of many of the Portuguese, as a punishment for that nation having penetrated the mysteries of his reign, which the Romans and Carthaginians had respected. He alludes to the shipwreck of Bartolomeo Diaz, in 1500, with three vessels in the expedition of Alvarez Cabral, the murder of Francesco d'Almeida, first viceroy of the Indies, by the Caffres of the Cape, in 1509, and the melancholy death of Manuel de Souza, and his wife. The dreadful denunciations are interrupted by Gama, who boldly asks the speaker, who and what he is : to which he answers :

.....In me behold, he cried
 While dark red sparkles from his eye balls roll'd,
 In me the Spirit of the Cape behold.
 That rock by you the Cape of Tempests named,
 By Neptune's rage in horrid earthquakes framed. }
 When Jove's red bolts o'er Titan's offspring flamed. }
 With wide stretched piles I guard the pathless strand,
 And Afric's southern mound unmoved I stand ;
 Nor Roman prow, nor daring Tyrian oar
 E'er dashed the white waves foaming to my shore ;
 Nor Greece nor Carthage ever spread the sail
 On these my seas to catch the trading gale.
 You, you alone have dared to plough my main,
 And with the human voice disturb my lonesome reign.

The Spirit of the Cape then relates that, before his metamorphosis, he was one of the Titans, named Adamastor, and brother to the Briareus of pagan mythology ; that he fell in love with Thetis, on which account he was punished. Camoens had before him the story of Ixion and Juno, but in grandeur and sublimity he has improved on his model. Let the following passage justify, or disprove, this opinion :

Here was no goddess, here no heavenly charms :
 A rugged mountain filled my eager arms,
 Whose rocky top, o'erhung with matted brier,
 Received the kisses of my amorous fire.
 Waked from my dream, cold horror froze my blood :
 Fix'd as a rock before the rock I stood :
 O fairest goddess of the ocean train,
 Behold the triumph of thy proud disdain.
 Yet why, I cried, with all I wished decoy,
 And when exulting in the dream of joy,
 A horrid mountain to my arms convey ?
 Maddening I spoke, and furious sprung away.
 Far to the south I sought the world unknown,
 Where I unheard, unscorned, might wail alone ;
 My foul dishonour and my hot tears hide,
 And shun the triumph of the goddess' pride.
 My brothers now, by Jove's red arm o'erthrown,
 Beneath huge mountains piled on mountains groan ;
 And I who taught each echo to deplore,
 And tell my sorrows to the desert shore,

I felt the hand of Jove my crimes pursue,
 My stiffening flesh to earthy ridges grew,
 And my huge bones, no more by marrow warmed,
 To horrid piles and ribs of rock transformed,
 Yon dark-browed cape of monstrous size became,
 Where round me still, in triumph o'er my shame,
 The silvery Thetis bids her surges roar,
 And waft my groans along the dreary shore.

The episodes of Inez and Adamastor are the two finest in the *Lusiad*, nor are there any other passages of superior beauty ; this induced us to cite them to convey some faint idea of the genius of Camoens. We have not space to enter more fully into the varied beauties of this truly national poem. We shall merely add that Bacchus continues to thwart the adventurers, who are always protected by Venus. She renders stationary a floating island, on which the Portuguese refresh themselves, where they are attended by the nymphs of the ocean. A Siren here announces the future glories of the nation, and Thetis conducts Vaso de Gama to the pinnacle of a mountain, where she shows him a celestial globe of transparent materials, on which she describes the whole structure of the heavens, according to the system of Ptolemy. In the centre of the globe, she shows him the regions he has traversed, and the unknown lands and seas that will be discovered by his successors. She then calms the waves ; a propitious breeze springs up at her command, and the fleet return to Portugal.

CULTURE OF TOBACCO IN FRANCE.

THIS herb, introduced into Europe by the Spaniards, 1560, has become almost a necessary of life in countries, where formerly it was esteemed a luxury. The revenue it produces to governments is consequently very considerable. In France, its growth is permitted under strict laws and regulations, in several departments, and is, to all intents and purposes, a royal monopoly, guarded by a vigilant police and inspectors, specially appointed to superintend its cultivation and prevent fraud. The scrutiny the plants undergo, manifests the suspicions entertained by the ministers of finance, and of the directors, by their orders to the inspectors of communes, who, although supported by every possible precautions, are often outwitted. In fact, it may fairly be stated, it produces more crime than benefit to the state ; for the tobacco grown in France is inferior in quality and flavour to that imported from America, I presume, from the difference in soil and climate ; and if its cultivation was totally prohibited, instead of being partially permitted, which gives rise to discontent among farmers, the revenue of two millions sterling would not be injured ; such is the propensity and custom among all classes of society to smoke.

A farmer is only permitted to cultivate a certain portion of land, and must produce, before the bureau, a respectable guarantee to be responsible for his adherence to the rules and regulations under which leave is granted to grow this plant. The field appropriated for this purpose, should as far as possible, be a square, and each hectare should measure from ten to fifteen thousand square feet. Five hundred and eighty hectares are thus measured in eighteen communes, in the arrondissement of St. Malo, but 12,350 square feet is the medium generally adopted for each hectare—and 900,000 kilogrammes, or 1,800,000 lbs. was demanded from this quantity of land, in 1836.

The mode of cultivation is as follows :—The seed is sown in prepared beds, generally in gardens, in the month of March.

The ground is either ploughed deep or trenched into ridges in the winter, or early in spring; in April it is levelled with spades and dug twelve or fourteen inches. Holes, eighteen inches square, three feet distance every way, and one spade deep, are made in regular lines and equal numbers. These are filled with the best rotted manure, and covered with the earth taken out, which gives the field the appearance of a molehill: if the season is favourable, the plants are put in the middle or latter end of April. Six thousand to the journal,* which is about an English acre, and in exposed spots large oyster shells are stuck up to protect the young plants, and Jerusalem artichokes planted all round as a fence. When weeds appear, the ground is dug spade deep, afterwards cleaned and weeded as often as it becomes necessary, until the plants are too large to be interfered with.

In August it is topped, and all off-sets from the stems carefully removed.

Towards the end of September, or in October, it is cut as it ripens, which is indicated by its yellowness; it is allowed to remain on the ground a few days, and then hung up by the stems under apple trees, or against walls. If the weather is favourable, it is soon ready for pressing, and delivered into the government stores, where it is examined and prices are fixed according to quality. One hundred and twenty francs for 200 lbs., the first quality; ninety francs, the second; sixty-five francs, the third, and all under that valuation is condemned and burnt. In a good year, 2000 lbs. per acre is the produce, which, at the moderate rate of five pence per pound, amounts to one thousand francs, or £40 per journal; but it is a very precarious crop, requires great and expensive labour. One storm of hail at the equinox destroys the grower's hopes.

From the quantity of manure employed, it is not considered injurious to the soil, for good wheat crops succeed it. On examination of the roots they had not extended beyond the hole, but appropriated all the dung for their nourishment.

The inspectors keep regular entries, visit frequently each farm or garden, count the stems in each row, which must be in equal numbers, measure the leaves, and take down how many are on each plant, and finally, superintend the burning of the roots, which are collected and counted for that purpose. Their books are regularly kept, and the tobacco delivered into stores must agree with the size of the leaves entered therein, the medium being the guide for the whole, the large leaf being near the root, the small at the top.

Sir Walter Raleigh introduced it into England.

L.

LE COUTEUR, ON WHEAT.

If there be any truth in the remark of Dean Swift, that the man who makes three blades of grass grow where only two grew before, deserves well of his country, Colonel Le Couteur, of Jersey, deserves a civic crown for his excellent and instructive work "On the varieties, properties, and classification of Wheat." The agriculturists of England fully

* Journal, in old French, denoted that quantity of land which one man could plough in a day. The term is still used in Brittany, and some other departments.

appreciate the merits of this patriotic gentleman's scientific exertions, and we shall now perform the pleasing task of making such extracts from his printed work, as may convey a general notion of the extent and value of his industry and researches.

It is a curious fact that much more minute attention has been paid to horticulture and floriculture, than to agriculture, and that while fruits and flowers, which may be accounted luxuries, have received unremitting care, the seed of wheat, the first necessary of life, has been very indifferently studied. No class of men are more prone than farmers, to follow the rules and systems they find established, and none are more averse from experiment; the practice of the father is the practice of the son. There is a family in Guernsey who invariably sow their barley on a certain day, whether the season be late or early, because they have a tradition that this day was always propitious to the crops of their grandfather. Mr. Le Couteur cites the following instructive passage from the *Georgical Essays*, which may be read with profit by most agriculturists :

"It is not sufficient for a farmer to be acquainted with the nature of different soils, he should be acquainted with the nature of such plants as are used in field husbandry. The soil and roots are so intimately connected, that the knowledge of both becomes essential. Wheat has two sets of roots: the first comes immediately from the grain, the other shoots from the crown some time afterwards. I shall distinguish them by *seminal* and *coronal* roots. Plants, according to their species, observe a regular uniformity in the manner of spreading their roots; for which reason, the same grain cannot be continued long upon the same soil. Is it not that each takes from the earth such parts as are congenial? The food of all plants is the same; only some require more, some less; some take it near the surface, others seek it deeper. This opens to our view a noble field of instruction. A careful inspection of a healthy root, will at once demonstrate the bias of nature. An examination of the soil will show how far that, and the roots will coincide. This is the rational basis of the change of species, so well understood in Norfolk, where tap-rooted plants always follow those that root superficially.

"Wheat being subject to the severity of winter, its roots are wonderfully disposed, to withstand the inclemency of the season. A view of their shape will direct us in the manner of sowing that grain to the most advantage; and at the same time enables us to account for some of the phenomena observable in the growth of it. I have observed that wheat has a double root. The first, or *seminal* root, is pushed out at the same time with the germ, which, together with the farina, nourishes the plants, until it has formed its crown. In the spring, when the crown has become sufficiently large, it detaches a number of strong fibres, which push themselves obliquely downwards. These are the *coronal* roots. A small pipe preserves the communication between them and the *seminal* roots. It makes an essential part of the plant, and is observed to be longer or shorter, according to the depth that the seed has been buried. It is remarkable, however, that the crown is always formed just within the surface. Its place is the same, whether the grain has been sown deep or superficial. I believe I do not err, when I call this vegetable instinct.

"As the increase, or fructification, of the plant depends upon the vigorous absorption of the coronal roots, it is no wonder that they should fix themselves so near the surface, where the soil is always the richest. From an attention to this circumstance, we are led to explain the operation of *top dressings*. In the northern counties, wheat is generally sown late. When the frost comes, the coronal roots, being young, are frequently chilled. This inconvenience may, however, be easily prevented, by sowing more early, and burying the seed deeper. The seminal roots being out of the reach of the frost, will then be enabled to send up nourishment to the crown, by means of the pipe of communication. Hence, it is obvious, that wheat sown superficially, must be exposed to the severity of frost, from the shortness of the pipe of communication. The plant, in that situation, has no benefit from its double root. On the contrary, when the grain has been properly covered, the seminal and coronal roots are kept at a reasonable distance. The crown, being well nourished during the winter, sends up numerous stalks in the spring. On the tillering of the corn, the goodness of the crop *principally depends*. A field of wheat, dibbled, or sown in equi-distant rows by

the drill plough, always makes a better appearance than one sown with the harrow. In the one, the pipe of communication is regularly of the same length, but in the other, it is irregular; being either too long or too short."

Mr. Le Couteur, acting on this theory, ploughed in some fine Dantzic wheat, about seven to eight inches deep, which he had soaked, pickled, and limed; but the seed rotted, instead of germinating, which he attributes to the depth at which it was deposited. The medium distance, at least for the climates of Guernsey and Jersey, our author fixes at from three to four inches.

The majority of farmers seem quite satisfied when they raise a very large crop of wheat, but they would act more wisely if they sought to produce the largest quantity of meal or flour. It is nutriment that is required; and this must depend on the quality of the seed. The following are the results of experiments made by Mr. Le Couteur, in three varieties of his own growth:

"From a downy or hoary variety, eighteen pounds of flour, with half a pint of yeast, five quarts and a pint of water, and one ounce of salt, made twenty-six pounds of beautiful light, white bread.

"From a Dantzic wheat flour, the same quantity, with the same proportion of yeast, salt, and water, made twenty-four pounds and a half of very white bread, similar to French bread.

"The same weight of spring wheat flour, made twenty-four pounds of inferior, brownish bread." page 43.

It is said in the article "Baking," in the *Encyclopedia Britannica*, that a sack of flour, weighing two hundred and eighty pounds, and containing five bushels, is supposed capable of being baked into eighty loaves, in the act of parliament regulating the assize upon bread. According to this estimate, one-fifth of the loaf consists of water and salt, the remaining four-fifths of flour. But the fact is, that the number of quartern loaves that can be made from a sack of flour depends upon the goodness of that article. Good flour requires more water than bad, and old flour than new. Sometimes, eighty-two, and even eighty-six loaves, may be made out of a sack; sometimes, scarcely eighty. But Mr. Le Couteur has shown that the hoary wheat, No. 8, will afford flour that will make ninety-three quartern loaves from each sack, being a superiority of ten loaves over the estimate given in the *Encyclopedia Britannica*.

Mr. Le Couteur speaks highly of sea-weed, as a manure for wheat, and his remarks on it will, doubtless, prove acceptable to our farmers:

"The wheat on either side of these experiments, which had only been manured with the ashes of kelp, or sea-weed, was healthy, productive, and farinaceous in the highest degree. My attention was particularly called to the proper application of manures by an old and experienced farmer, who considered kelp, or the ashes of rock sea-weed (that which is cut) the best of all. I am convinced by subsequent experience, that two or three pounds worth of it, per acre, spread at the proper period, about two months before sowing time, would always more than repay itself. It attracts moisture from the atmosphere, it materially increases the volume of the grain and fineness of the sample; but does not add to the weight of the straw, though rendering it whiter and more nourishing to cattle. It causes the wheat to assume a rich and healthy appearance, and is an excellent application, after a crop of potatoes or parsnips, both of which require land to be richly dressed with stable or other strong manures, and has not the effect of decomposing them, as lime has. It is also destructive to insects, and to their eggs, which lie in the soil or turf; it forces the earthworms and wireworms from their lurking places to come to the surface and die; particularly when laid on in a larger quantity than I have named, some farmers being in the habit of putting on double, even treble, the quantity above stated; but I believe without having produced larger crops from inferior land; though it has been asserted that its effect is very permanent, being especially apparent on the succeeding clover crops. Kelp ashes

should lay on the surface of the soil, a month or two previous to sowing time, in order to weaken their caustic power, or they are otherwise apt to burn the young and tender shoots of the corn, as well as the larvæ of insects; but, by laying a certain length of time on the surface, exposed to the action of the atmosphere, or perhaps, what would be better practice, merely lightly turned into the soil, they become eminently beneficial." page 49.

As sea-weed is the principal manure used in Guernsey and Jersey, we avail ourselves of this opportunity to place before our readers the opinions of Sir Humphrey Davy, which we extract from his work on Agricultural Chemistry, page 245 :

"Sea-weeds, consisting of different species of fuci, algæ, and conservæ, are much used as a manure on the sea coast of Britain and Ireland. By digesting the common fucus, which is the sea-weed most abundant on the coast, in boiling water, I obtained from it one-eighth of a gelatinous substance which had characters similar to mucilage. A quantity distilled gave nearly four-fifths of its weight of water, but no ammonia; the water had an empyreumatic and slightly sour taste; the ashes contained sea salt, carbonate of soda, and carbonaceous matter. The gaseous matter afforded was small in quantity, principally carbonic acid and gaseous oxide of carbon, with a little hydro-carbonate. This manure is transient in its effects, and does not last for more than a single crop, which is easily accounted for from the large quantity of water, or the elements of water, it contains. It decays without producing heat when exposed to the atmosphere, and seems as it were to melt down and dissolve away. I have seen a large heap entirely destroyed in less than two years, nothing remaining but a little black fibrous matter. I suffered some of the firmest part of a fucus to remain in a close jar containing atmospheric air, for a fortnight; in this time it had become very much shrivelled; the sides of the jar were lined with dew. The air examined was found to have lost oxygen, and contained carbonic acid gas. Sea-weed is sometimes suffered to ferment before it is used; but this process seems wholly unnecessary, for there is no fibrous matter rendered soluble in the process, and a part of the manure is lost. The best farmers in the west of England use it as fresh as it can be procured; and the practical results of this mode of applying it are exactly conformable to the theory of its operation. The carbonic acid formed by its incipient fermentation must be partly dissolved by the water set free in the same process; and thus become capable of absorption by the roots of plants. The effects of the sea-weed, as manure, must principally depend upon this carbonic acid, and upon the soluble mucilage the weed contains; and I found that some fucus which had fermented so as to have lost about half its weight, afforded less than one-twelfth of mucilaginous matter; from which it may be fairly concluded that some of this substance is destroyed in fermentation."

Mr. Le Couteur, in the chapter entitled "On the tendency of wheat to degenerate," clearly shows that a very erroneous opinion has been circulated, arising from an improper use of language. The truth is, that by sowing a field with mixed varieties of seed, good, bad, and indifferent, the produce, in the course of years, must *change*, but it does not *degenerate*; hence he draws one of the strongest arguments in favour of minute classification, and most pertinently remarks, "it would be no fault of the superior sort first imported, but wholly the consequence of neglect in not having preserved it pure; for the original sort would remain the same, as regards quality, but diminished in quantity." page 59.

On the relative advantages of the drill and broadcast systems, Mr. Le Couteur is of opinion that the former is preferable on lands which contain the seeds of noxious weeds, and the latter, on ground from which all such seeds have been eradicated. The following is his system of cultivation :

"My own practice is to put my seed into fresh water, two or three bushels at a time, then stir it, till all the light, injured, or sickly grains are floated or skimmed off: the grain thus cleaned is put to soak twelve hours in brine, made strong enough to float a potatoe; it is then put to drain, and is well dried with air slackened lime—no smutty ears appear after such treatment. The land is prepared by two or three ploughings, and a dressing of lime, ashes, or some suitable manure,

according to the change required in the food of the seed. The wheat is then sown with a five row drill machine, one of very efficient and simple construction, made by Snowden, of Oxford Street, in drills seven inches apart, at the rate of two, to two and a half bushels the acre, after potatoes, or parsnips. One careful hoeing, in April or May, is then sufficient to enable the wheat to get the upper hand of its enemies, the weeds, for which purpose I use a hoe of my own invention, with a very narrow steel blade, not wider than a table knife, with a stout blunt back, and a very sharp edge, the sides being rounded off like some cavalry stirrups I have seen. The workman is thus enabled to place the back of the hoe against the very roots or tillers of the wheat, and thus scoop out any weed from them. In hoeing straight along the drills, the work is performed very speedily, as the round projecting sides of the hoe guide the labourer, and prevent his cutting the plants; the blade being so narrow prevents any accumulation of earth on the hoe, which glides or cuts though the dry surface with great ease, and scarcely any resistance to the person using it. Women, or even children, can handle it with facility."

In 1833, Mr. Jacob, in his evidence before the select committee of agriculture, stated that the average annual consumption of wheat in the United Kingdom, was about thirteen millions of quarters, and that the average produce per acre in England and Wales, was twenty-one bushels. From facts stated by Mr. Le Couteur, he calculates that the land under wheat cultivation in Great Britain and Ireland, amounts to five millions of acres. Then, assuming the average price of wheat for the last five years to have been fifty shillings the quarter, and assuming further that by classification of seed, and the adaptation of each particular variety to a suitable soil and climate, an increase of only one quarter per acre could be realized, then it would follow, that this increase on five millions of acres, at fifty shillings per quarter, would present an annual augmentation to the national wealth of twelve millions five hundred thousand pounds. Now, Mr. Le Couteur has experimentally proved that this increase can be counted on with certainty, for on his own farm, which used to average three quarters per acre, he is now enabled to grow four, five, and even six quarters.

Mr. Le Couteur then proceeds to show the increase in the quantity of meal that would accrue, when the system of classification, and the knowledge of the properties of each variety of wheat, were known, and acted upon. On this point, he thus expresses himself:

"I have shown that eighteen pounds of good Dantzic and Rostock flour only made twenty-three pounds of bread, and that eighteen pounds of a farinaceous variety of my own growth, have made twenty-six pounds of bread. Here we have an excess of three pounds of bread on eighteen pounds of flour, or of one sixth, from two superior sorts of meal, and I shall rest satisfied to make my statements from these—though I am convinced, were I to make them from flour taken from the average mixtures which furnish the flour that is eaten all over the kingdom, the increase would be greater. In the farmer's series, No. 74, at the article on "Wheat," we find, that a bushel of wheat averages forty-eight pounds of both kind of flour, of that sort called "seconds;" hence if a superior sort of wheat be made to produce an increase of eight pounds of bread on every bushel, here would also be an increase of one shilling per bushel on ninety-two millions of bushels, or of four millions six hundred thousand pounds a year, being a general increase of value in the produce of wheat and flour, to the amount of sixteen millions nine hundred thousand pounds sterling."

We cordially recommend this little work to the attentive perusal of every agriculturist in particular, and generally to all who feel an interest in the progress of civilization: it is replete with valuable information, expressed in plain and lucid language, and shows that Mr. Le Couteur is not only a practical and scientific farmer, but also a sincere philanthropist.

PRIAULX, ON NATIONAL EDUCATION.

At the commencement of the present century, when schemes of popular education were advocated by a few philanthropists of enlarged intellectual character, a numerous and powerful party denounced the policy of the measures proposed, as subversive of social order; and predicted the revival of the age of barbarism, if the operative sections of society were instructed in the rudiments of literature, or made acquainted with the first principles of art and science. The opposition contended that knowledge ought to remain the monopoly of the learned professions, and that the working classes should be diligently kept without the pale of the republic of letters. These illiberal and ignorant sentiments have succumbed to the growing intelligence of the age, and if retained in any quarter, are in the unenviable occupancy of bigots and tyrants. Every man of cultivated mind now acknowledges the importance of popular education: the only difference of opinion that now exists, relates to that particular mode or system of training and discipline which will most extensively and beneficially promote the useful instruction of the masses.

Among the friends of national education, Mr. Osmond De Beauvoir Priaulx, a native of Guernsey, has shown himself worthy of occupying a distinguished rank, and though we do not assent to all the doctrines he has propounded, we bear willing and sincere testimony to the originality of his conceptions, the felicity of his arguments, the comprehensive grasp of his system, and his varied and profound scholarship. We have seen reviews of his work, which, by no means, do him justice, particularly the notice of the Athenæum, which we attribute to the fact of the critic having only glanced at the title page; we have read the whole diligently and with attention, and shall now proceed to give such extracts as may convey an idea of the scope, character, and tendency of the publication.

"Education," says Mr. Priaulx, "denotes every thing which furthers or affects the development and formation of the character, mental and bodily." Having propounded this general definition of his subject, he proceeds to classify its varieties, under the terms Systematic or Accidental, Natural and Artificial, Professional, and General or Rational, Education. He very properly observes, that diversity of climate influences the formation of opinion, which fact must be taken into account in framing a system of early culture and discipline in different latitudes; but he thus expresses himself, when the subject refers to a given place, and a given nation:

"Rational Education made National is the education of the great body of a people, whose several characters, because they live under the same climate, and enjoy a common civilisation, necessarily have a common development. Its object is to develop and form the powers of individuals, and to superadd to the common character which already unites them, that spirit which may constitute them collectively a civilised nation. That spirit consists,—

"1st. In the common love of each other as fellow countrymen, but subordinate to the love of humanity. The spirit of civilisation is essentially a rational spirit; and, as rational, it must necessarily outgrow that selfishness, the great error of all half-civilisation, which narrows down man's affections and confines his duties to the beings with whom he is more immediately connected; consequently therefore, although it still imperatively obliges us, at all seasons, and by all just means, to promote our country's interest, it will also never suffer us to forget that we belong to mankind, and to mankind owe it, that these interests be no way incompatible with the independent existence, or even the well being, of other nations. It is a spirit which, in a word, makes man's patriotism *to determine*, and *not to destroy*, his humanity.

"And, 2ndly, In the common love of the laws and institutions of country ; but subordinate to the love of justice and the universal rights of man. The spirit of civilisation is a thoughtful and improving spirit ; it prevents the citizen from rushing into novelties, because they are novelties, and yet urges him on to seek all means for bettering the laws, and giving a larger and more humane spirit to the institutions under which he lives."

Education may be either public or private. The latter may be conducted at home, the parents themselves teaching their children, or retaining for that purpose, in their house, a tutor and a governess. The first plan supposes the father and mother competent to instruct ; the latter, that they are sufficiently rich to engage hired services. Looked at in a national view, both these suppositions are exceptions to the rule, which must always obtain, to wit, that the numbers of those who unite knowledge to riches are very limited. In a general point of view, then, education cannot be domestic ; consequently, it must be public. The plan of public education, recommended by Mr. Priaulx, provides food, lodging, and instruction for the child, at the expense of the nation, and not of the parent. To this scheme, he anticipates some objections, which he thus states and answers :

" *Objection I.*—The expense such a system of education would entail—

" 1st. Upon the nation.

" Yes, but for the nation's benefit. Its mere expense is no legitimate objection to any national undertaking—that expense must be shown to be useless or unprofitable ; for every nation can, nay more, should, afford all outlay which cannot but produce a more than counterbalancing advantage.

" Besides, such a system will not, in fact, at all add, or add but very little, to the national expenditure ; for the nation now supports its infant population ; and all we propose—and we propose it in the hope and certainty of benefitting both classes of society—is to change the mode in which that support is provided for, by shifting its burden from the shoulders of a weak and enfeebled, to the broad backs of a stronger, class.

" 2dly. Upon the higher orders of society.

" Society may be divided into two great classes, the rich and unproductive, the labouring and productive, class ;—the *one* representing the intellectual power, the *other* the physical strength, of the nation. These two classes many and great interests knit together, or separate, according as the laws which regulate the common weal are, or are not, suited to the existent state of society. And of these interests that which each holds in the property of the country is among the most important—that, in fact, which in some measure sways and dominates over the rest.

" The property—that is, the capital and produce of the country—is divided between these classes, to support the *one* while busied in the pursuit of intellectual acquirements, and the *other* during the intervals requisite for production, &c. So long, then, as *their* respective comforts bear together a fair proportion, society flourishes ; but the instant that the *one* class begins to amass or obtain wealth at the expense of the *other*, that instant springs up a variety of evils, according as the *one*, or the *other*, acquires undue predominance. If the *labouring* trenches upon and at length eats up the substance of the *intellectual* class, the nation then falls back into a rude barbarism and brutal ignorance ; and if the *rich*, forgetting their just position and its objects, increase their power of commanding luxuries, at the same time that the *labourers* are reduced to the barest necessities of life ;—then follows a gradual demoralization of both classes—a crumbling away of the social edifice, whose lingering ruin is at length hurried on by some great and fearful convulsion.

" To which of these extremes society is at this present leaning, is but too evident. The worst consequences may, however, be yet averted by some timely sacrifice made on the part of the unproductive class ; and none surely can be offered so rich in advantages to the labourer, as that which immediately relieves the *present* generation from the burdens attached to the support of a large family, and, at the same time, to the *next* assures thoughtful and prudent minds, able to distinguish between the corruptions of society and its necessary evils.

" Besides, such a system would not be found an altogether fresh drain upon the purses of the rich. The endowments of grammar, and the contributions at present

raised for parish schools, would, in some measure, defray its expenses. And, as the wages of the labourer would be no longer exhausted in the support of a family, they might afford him a comfortable subsistence; and the necessity for poor laws—that forced, and, to the rich, oppressive, charity—would then die away, or at least be so lessened as to give the legislature an opportunity of modifying their collection and distribution.

"Again: a national school, really national, should be so constituted as to offer instruction not only to the children of the labouring, but to those also of the richer class. We have therefore to deduct from the additional expense, which, in the way of taxation, such a school would entail on the latter, the actual one to which, in the education of their children, they are at present subjected.

"*Objection II.*—The higher classes would object to a public charity school; and one in which their children were compelled to mix with those of a lower grade.

"A national and public, is not a charity school. Or, grant that it be, look at those charitable institutions throughout the country which ensure a good education; have not the more respectable classes pressed forward to take advantage of them? have they not, in a great measure, appropriated them? And to those they have been hitherto unable to appropriate, whose scholars are of every grade, do you find them objecting? No, we have that native good sense which tells us that the low born are not necessarily low bred.

"Besides, is it not the government's duty to provide schools for its poor infant population? And to these schools, or others, are not the people, under some *paternal* governments, as of Prussia, compelled to send their children? And though such compulsion *cannot* be sanctioned by the law of England, and is most assuredly contrary to its spirit; yet has the Prussian government, for this wise care of its subjects, met in England with much and just commendation—perhaps, indeed, because such compulsion is viewed as applicable to the poor only. But if to the poor, why not to the rich? Not, however, that I would force away children from their parents, whatever be their class. No, to both classes equally I would give the opportunity of educating their children at the public expense; and I would provide a course of instruction which should suit both. Those individuals, therefore, who refused to lay hold of that opportunity, would do so to their own loss."

Some other objections are stated, and answered, by Mr. Priaulx, for which we must refer our readers to his book, but he has a remark in one of his notes, which we cannot omit, as it exactly embodies the true answer to the vulgar cavil against general education. "Our system of education," says Mr. Priaulx, "is not one which has for its object to *plebeianise* the gentry, and drag them down to the level of the populace, but one which will ennoble our people, and raise them, in every thing that constitutes the man, to an equality with ourselves."

If a plan of national education were established, one of the most important rules of the system which would require to be fixed, would be the age of dismissal; on which subject Mr. Priaulx has some excellent remarks. It is clear that some boys will advance much more rapidly in their studies than others, from which familiar fact it is obvious, that the period of dismissal cannot be regulated merely by age: we must determine the date by the competency of the pupil. Of persons of half education, our author justly and elegantly observes: "They ever seem to look through microscopic glasses, which may serve well to magnify and peer into the little cracks and chasms that separate man from man, but which are utterly unfitted to take a large view of the vast continent of humanity."

The education now received by the vast masses of the community, is of this fractional and unsatisfactory character. Reading and writing, as mechanical arts, the catechism learned by rote, scraps of grammar, and some fragments of geography, form the usual routine of modern schools. Can we expect that pupils, so instructed, should know their interests as individuals, or their duties as citizens? or that they should be a pride to

their parents, and an honour to their country? Such an expectation would, indeed, be irrational, as there is no adaptation of the means to the end. Public teachers are regarded as creatures of an inferior rank, and their recompense is below that of a butler or a footman. Hence it is, that the business of education falls into the hands of persons utterly incompetent to their task; but they do the work cheap, and fathers and mothers are thus gulled into the moral ruin of their offspring.

On this subject, we cannot refrain from quoting the sentiments of the eloquent and learned Dr. Channing, of Boston, in the United States. He thus expresses himself: "We want better teachers, and more teachers for all classes of society, for rich and poor, for children and adults. We want that the resources of the community should be directed to the procuring of better instructors, as its highest concern. One of the surest signs of the regeneration of society will be the elevation of the art of teaching to the highest rank in the community. When a people shall learn that its greatest benefactors and most important members are men devoted to the liberal instruction of all its classes, to the work of raising to life its buried intellect, it will have opened to itself the path of true glory. This truth is making its way. Socrates is now regarded as the greatest man in an age of great men. The name of king has grown dim before that of apostle. To teach, whether by word or action, is the highest function on earth."

To return to Mr. Priaulx. The discipline of his school, as one of the engines to promote morality in manhood, meets our unqualified approbation. His remarks on punishment are judicious and philosophical, clearly showing that punishment is only practically useful, so far as it acts as a preventive to crime. The plan of forming juries among boys, by which they are habituated to the characters of pleader, witness, or even auditor of the proceedings, is to be commended, as shadowing forth the future realities of life, and preparing the young for its conflicts. One of the most useful elements of this part of the system is the mode suggested of teaching boys the value of money, with the nature of capital and wages; and the contrast drawn between the rich and the poor boy, at their entrance into the world, is drawn with a fidelity and truth that must carry instant conviction to every experienced and thoughtful mind.

A very large portion of Mr. Priaulx's work is devoted to the subject of religious instruction, into which question we cannot follow him, we having made a promise with the public never to touch on the interminable theme of theological controversy. But we may, and do earnestly, recommend his views to the serious meditation of the good and wise, to all who feel inwardly, as all outwardly profess, that the religion of Christianity is a "service of perfect freedom." One short passage we shall extract, as showing the elevated and elevating spirit of the writer.

"Fear not, wherever you find mind, there is also humanity. Between a Bacon and an African savage; a Paul and the child that lisps in your arms; infinite as is the distance between them, the difference is one of degree, and not of kind. They possess the same powers; in the development of intellect they follow the same laws; and to each are given the same fundamental ideas which make up the human mind, and without which, the human mind, as such, cannot exist. Only in the one case they lie massed and confused together; in the other, they have been developed and arranged; and of these fundamental ideas, the one that first presses itself on us, is the idea of God. Atheism is impossible.

"Yes, atheism is impossible. The cradled infant, soon as he can fit language to thought, inquires of his doating nurse, 'Who made him and the world?' The hireling crone answers, 'God'; the indolent and careless Otaheitan, 'God'; the

lowest wretch of the degraded Pariahs, 'God;' from civilized Europe, to the bloodiest of the cannibals of Africa, all mankind answers, 'God;' and the child's heart echoes to the universal answer. The Creator, the great I AM, lives in the child's heart, and lives there not by the tenure of utility or fear, or ignorance, or priestcraft, but of right, and it cannot be driven thence but by the annihilation of his humanity."

The great argument against the adoption of Mr. Priaulx's plan of national education, as he himself indeed hints at in his preface, is its impracticability; and this was actually the remark in the Athenæum, and the only remark. We exclude from our vocabulary the discouraging term "impracticable." We admire Buonaparte for his comment on the term impossible. "Impossible! ce mot n'est pas Français." There is in the world a vast deal of indifference, of envy, and of the low feeling that prompts a narrow and jealous mind to cuff down original thinkers: these influences have ever retarded the progress of truth, but they have never succeeded in strangling it. It is not because a given individual fails in his plan, that the plan itself is bad; nothing can succeed without co-operation; and should that be withheld by one generation, the succeeding one may be more generous and more clear-sighted. No man deserves the name of a philosopher, who is wanting in that mental courage which endues him with fortitude. If he puts forward a truth, it is looked at as an intruder on preoccupied ground, and the masses are armed against its reception; for this a philosopher must be prepared, and clothe himself with patience. He who wishes an early admission among the majority, and aims at a rapid but short-lived popularity, to die almost as soon as born, should range himself among the fashionable novelists; but whoever writes for humanity at large, in contradistinction to a class or coterie, must look for postponed honours, though those honours will be permanent. The character of Mr. Priaulx's work is solid and enduring, with benevolence and morality for its end; it is the tribute of a highly cultivated mind to the temple of universal humanity.

SCHILLER'S WILLIAM TELL.

(Continued from page 223.)

ACT II.—SCENE 2.

A wild enclosed part of the forest mountain-torrents; rushing from the rock.

Enter Bertha of Bruneck, in a hunting dress.—Immediately after, Rudenz.

BERTHA.

He follows me. At length I may declare
My sentiments without restraint, and free—

RUDENZ. (*suddenly entering.*)

Lady, at length, I find you here alone.
Enclosed on every side by precipices,
I fear no witness in this wilderness;
Now from my heart I roll this long-pent silence—

BERTHA.

Are you assured the hunt is not at hand?

RUDENZ.

You see it passes yonder.—Now, or never!
I am resolved to seize this precious moment—
My destiny must be decided now,

Though it should banish me from you for ever.
 —O do not arm your kind benignant looks
 With that severe expression.—Who am I
 That I should raise my daring wish to you,
 Me fame as yet hath never named, I may
 Not range myself amongst the knightly ranks
 That, crowned with conquest, seek to gain your love,
 Nought have I, save my heart with true love fraught—

BERTHA.

Dare you of love speak and fidelity,
 Who are so faithless to your nearest duties,

(*Rudenz steps back.*)

The slave of Austria, you that sell yourself
 To the base alien, the oppressor of your country ?

RUDENZ.

Must I from you, my lady, hear this censure,
 Whom seek I, then, but you on Austria's side.

BERTHA.

And did you think to find me on the side
 Of treachery ? Rather would I give my hand
 To Gessler, to the base oppressor's self,
 Than to the son of Switzerland that could
 Forget the ties of nature thus, and make
 Himself the fell oppressor's ready tool.

RUDENZ.

O Heavens !

BERTHA.

What, tell me, doth the noble mind
 Prefer on earth to kindred, friends, and country ?
 Are there dearer duties for a virtuous heart
 Than those of firmly shielding the oppressed
 And being the defence of innocence ?
 —My heart bleeds for the people of this land,
 I suffer with them, for I needs must love them.
 So modest are they, yet so really brave,
 My heart is mightily attracted to them,
 With every day they gain in my esteem.
 But you, whom nature and your knightly duty
 Have made their natural protector,
 And who *desert* them faithlessly, to join
 The foe and forge base fetters for your country —
 'Tis you that injure and insult me.—I
 Can scarcely keep my heart from hating you !

RUDENZ.

Is not my country's weal and peace,
 Secured to us by Austria's mighty sceptre,
 My aim ?

BERTHA.

Base slavery's your aim, not peace,
 From the last strong-hold which it still retains
 On earth, you fain would banish liberty.
 The people understand their welfare better ;
 No empty seeming can deceive their hearts,
 But you have been entangled in its snare.

RUDENZ.

Bertha, you hate me—you despise my love !

BERTHA.

'Twere better for me if I did so.—But
 To see him scorned, and worthy too of scorn,
 Whom one would wish to love.

RUDENZ.

O Bertha ! Bertha !
You shew me first the highest bliss of Heaven,
Then in one moment hurl me down to earth !

BERTHA.

No—no—the noble is not wholly stifled
In you.—It only slumbers—I will rouse it !
You're forced to do deep violence on yourself
To kill the inborn virtue of your soul ;
'Tis well that she is mightier far than you,
For you are good and noble, spite yourself.

RUDENZ.

O Bertha, you have faith in me.—Your love
Would ere long make me every thing you wish !

BERTHA.

Be nothing but what glorious nature made you !
Fulfil the place assigned to you by her ;
Stand firmly by your country and its sons,
And combat for your sacred rights !

RUDENZ.

Ah me !

How shall I ever win you or possess you,
If I resist the Emperor's mighty power ?
Doth not your kinsmen's stern imperious will
Sway the disposal of your lovely hand ?

BERTHA.

All my estates lie in the Waldstatten,
And when the Switzer's free, I am so too.

RUDENZ.

Bertha, what prospects do you open to me !

BERTHA.

Hope not to gain me through the Austrian's favor :
For my possessions they stretch out their hands,
To join them with their great inheritance.
The same desire for territorial increase
That would devour your freedom, threatens mine !
O friend, I am selected as a victim,
Perhaps to recompense some favourite courtier.
Yonder, where falsehood and intrigue abide,
To the imperial court they seek to drag me.
Connubial chains abhorred await me there ;
And love alone—*your* love alone can save me !

RUDENZ.

And can you then resolve to sojourn here,
To become mine in this my native land ?
O Bertha, all my wishes for the future,
What were they but a striving after you ?
You only did I seek on fame's bright path,
And my ambition all was nought but love.
Can you in this still vale seclude yourself
With me, and thus renounce the world's gay splendour—
O then the aim of my endeavour's found ;
Then may the stream of the wild-raving world
Lash the safe strand that girds this mountain land—
My transient wishes would no longer roam
O'er chequered life's remote perspective scenes—
Then would these towering rocks around us stretch
A firm impregnable defensive wall,
And this secluded blissful vale alone
Form the bright unimpeded path to Heaven !

BERTHA.

Now thou art all that my prophetic heart
Did deem thee—my faith hath not deceived me.

RUDENZ.

Away,—begone, ye treacherous vain illusions !
At home I now shall find my happiness.
Here where the blooming boy in joy grew up,
Where all things tell me of my early pleasures,
Where every tree and fountain lives for me.
In my dear fatherland thou wilt be mine !
Ah, I have ever loved it well ! I feel
I needed it for every happiness on earth.

BERTHA.

Where shall the blissful isle on earth be found,
If not within the land of innocence !
Here where good ancient faith is inborn still,
Where falsehood hath as yet not found its way,—
Where envy troubles not the source of joy,
And ever bright our blissful moments pass.
—There I shall see thee in true manly worth,
The first one of the equal and the free ;
Honoured by hearts devoted pure and free,
Great as a king that rules o'er mighty realms.

RUDENZ.

Methinks I see thee there, the crown of women,
Sweetly engaged in womanly employ,
Making my home on earth a happy heaven,
And, like the spring time, scattering beauteous flowers,
Adorning with a lovely grace my life,
Enlivening, blessing every thing around.

BERTHA.

And now, dear friend, you see my cause of grief
When I beheld yourself destroying thus
Life's greatest good.—Ah, what would be my fate
Were I compelled to follow some proud knight,
Some lawless tyrant, to his gloomy castle !
Here there's no castle.—Here no walls divide
Me from a people whom I can make happy.

RUDENZ.

But how shall I escape—how burst the snare
In which my folly hath entangled me ?

BERTHA.

Burst it with manly resolution.—Be the issue
Whate'er it may, stand firmly by your country !
It is your natural station.

(Horns are heard from the distance.)

Hark ! the hunt

Draws nigh—Away—Farewell—Fight for your country !
For then you combat also for your love :
One foe alone excites our common dread,
One freedom too will make us all be free.

(Exeunt.)

J. D. PIERCEY.

THE ROMAN DE ROU.—No 14.

(Continued from page 280.)

THE battle of Hastings is described by Wace with considerable minuteness of detail, and this portion of his poem has been specially admired by antiquarians. We have already noticed the opening of the conflict, and shall now continue the narrative.

Among the disadvantages under which the English laboured, Wace says that they could not fight on horseback, nor cover themselves with a buckler with one hand, while, at the same time, they aimed a blow with the other at their enemy. They, however, occupied an eminence, from which the Normans made several ineffectual attempts to dislodge them, and the combat continued for six hours, with doubtful success. The duke ordered his troops to retreat, on which the English, deceived with the hope of victory, sallied forth, and lost the advantage of ground. In the level plain, the Norman cavalry achieved the triumph, and pushed on rapidly to the standard of Harold. At this period of the action, that prince was slain, and Wace declares, though with some hesitation, that William personally encountered and killed Gurth. The Anglo-Saxons fought till night-fall, when they fled. The duke pitched his tent on the field of battle, and was deeply affected at the horrible carnage. William of Poitiers thus notices this honourable trait in his character: *ad arcem belli regressus, reperit stragem quam non absque miseratione conspexit.* The Conqueror was raised on a shield by his barons, who noticed with admiration his indented armour, the strongest proof of his having mingled in the thickest of the fray.

On the following day, the dead were buried. Various accounts are given of the sepulture of Harold. If we credit the Norman historians, the body of Harold having been recognized, not from his features, but from some corporal marks, was carried into the ducal camp. William having obstinately refused to restore it to his mother Ghita, or even allow her to ransom it with gold, granted it, (*concessit*), according to William of Poitiers, to William Mallet. But Ordericus Vitalis says, it was delivered up by order of the Conqueror to William Mallet (*victoris jussu traditus est*) to be buried near the coast which Harold so valiantly defended. The expression used by Ordericus Vitalis seems to be the most appropriate; for there is no reason to suppose that this Norman baron should have asked any such personal favour from the duke. We consider that he was charged by William to escort the body to the abbey of Waltham, in Essex, which Harold had founded, and in which he was buried.

The statement of William of Malmsbury is, however, very different. According to that chronicler, the Conqueror, refusing the ransom offered by Ghita, sent her the body of her son, and the unhappy mother buried him at Waltham.

But we prefer the touching recital contained in the manuscript of Waltham Abbey, the writer of which lived at the commencement of the twelfth century. The substance of it is as follows: "The monks of Waltham, seeing with regret that Harold too hastily engaged in an unequal contest, sent two of their most respectable brethren, Osegod Cnoppe and Ailric, the schoolmaster, to watch events, and in case of need, to perform the last spiritual duties to their patron. The two monks saw the battle, and as soon as it was concluded, they went to William, and claimed the body of Harold. Their demand was immediately granted. They offered the Conqueror ten marks of gold, as a token of their gratitude, and then searched the field of battle for the mortal remains of the English monarch: but they could not recognize it among the slain. Osegod went to Edith, the mistress of Harold, and requested her to accompany him to the field of battle, which she did, and succeeded in identifying the body of her royal lover, by certain corporal marks.

The remains of Harold were immediately carried to Waltham Abbey, and several Norman barons attended the funeral." The lady Edith was called "the swan-necked Edith," and in Domesday Book is frequently mentioned as "Edith Pulchra."

Wace now proceeds to the coronation of William: he states the rewards which he gave to his soldiers; and observes that he allowed his new subjects to choose their own laws, and that they elected those of Edward the Confessor.

The king of France insisted that William should hold England as a fief from him, which insolent demand involved them in a war. The duke burned the town of Mantes, but his horse stumbled, and he then received a violent contusion, which caused his death. He lingered during six weeks, and occupied himself in that period to arrange the succession to his kingdom. He gave Normandy and Maine to his eldest son, Robert; five thousand pounds to his youngest son, Henry, recommending him to his brothers; and he expressed a wish that William, his second son, should possess England; but he did not make any formal declaration on that point, for, as Ordericus Vitalis expressly states, the duke observed that he could only give to God a country that he had acquired by so many crimes. *Fases igitur hujus regni, quod cum tot peccatis obtinui, nulli audeo tradere, nisi Deo soli.*

William confessed to a priest, and took the sacrament. He released all his prisoners, even his brother Odo, bishop of Bayeux, whom he had incarcerated for his numerous and daring acts of treason. Scarcely was he dead, ere the palace became a scene of pillage and disorder. His body was embalmed at Caen, and Wace says that every bishop and baron attended the funeral, which was conducted on a magnificent scale. The ceremony was first interrupted by a fire, and afterwards by the demand of one Ascelin, who claimed the ground in which the body was about to be interred. The sum he received down, Wace fixes at sixty sous, but he afterwards received the full value of the premises which William had arbitrarily seized.

Our author now proceeds to narrate the various disputes and intrigues, which arose between the three sons of the Conqueror. William Rufus was crowned king of England; Robert, Courte-Heuse, took possession of Normandy, and Henry secured the money which fell to his share. Robert, as eldest, considered himself entitled to England, and determined to attack William by force of arms, and, to do this with effect, he borrowed three thousand pounds weight of silver from Henry, who received as guarantee the Cotentin; at least Wace describes the contract as a mortgage, though Ordericus Vitalis affirms that it was a positive sale. Henry also required Robert to transfer to his allegiance Richard de Reviers, son of Baldwin de Meules, whom we have already noticed among the barons who fought at Hastings. This Richard took the name of Reviers from the barony so called, situate in the arrondissement of Caen, and he received from William Rufus the barony of Okehampton, in Devonshire, with the office of viscount or sheriff of that county, which post his father had exercised. In 1090, Ordericus Vitalis represents him as sharing the intimate confidence of Prince Henry with Hugh d'Avranches, Earl of Chester. When Henry ascended the throne, Richard continued to be one of his most faithful counsellors, and was created Earl of Devon, and Lord of the Isle of Wight, titles which he transmitted to his posterity. He died in 1107, and his body was taken

from England to the abbey of Montebourgh, of which he was the principal benefactor. The male line of this baron subsisted in splendour, both in England and Normandy, to the close of the thirteenth century. The family residence, in the latter country, was the castle of Nehon, in the Cotentin.

Wace now relates that Robert crossed the seas with his army, and invaded England; that Rufus was prepared to give him a hostile reception; that the bishops and barons sought to reconcile them, and that peace was agreed on, Rufus pledging himself to pay his brother an annuity of five thousand pounds. But it is not true that Robert reached England, nor were the brothers reconciled on the condition of the annuity. All these facts relate to what passed long afterwards between Robert and Henry. It is true that Robert had promised his English partizans, and particularly his malcontent uncle, Odo, that he would personally succour them; but they awaited his arrival in vain. Robert only forwarded some money to his friends, which was intercepted. This civil war terminated at the commencement of the spring of 1088, by the capture of Rochester and the expulsion of the conspirators, without there being any reconciliation between William and Robert.

Wace next states that Robert, on his return from England, quarrelled with Henry, and seized the Cotentin, which he had pledged for the loan of money mentioned: that Henry retired to Mont Saint Michel, which, by the advice of Hugh, Count of Avranches, he fortified; that he thence sent a defiance to Robert; that Rufus, incensed against Henry for having advanced his gold to Robert, united his forces with those of his elder brother, and that they both attacked the prince at Mont Saint Michel. He then describes the skirmishes between the besieged and the besiegers: he states that the former suffered greatly from want of water, and that Robert sent his brother a hogshead of wine; that William thereupon severely reproached him; when Robert answered that he could not suffer his brother to die of thirst; and that ultimately they were all reconciled, and Henry left in peaceable possession of the Cotentin.

Almost the whole of this statement is historically untrue. It is certain that Rufus felt no displeasure against Henry, for having lent money to Robert, because, immediately after that transaction, Henry crossed over to England to claim his mother's property, which she had left to him, and he was affectionately received by Rufus. Wace has inverted all the facts which relate to the hostility of the brothers, fixing them at erroneous dates. These events, in an abridged form, may be thus stated. When Henry returned from England, in the autumn of 1088, Robert arrested him and his companion, Robert de Bellesme, and confined them both in prison, the former at Bayeux, the latter at Neuilly, under the custody of Bishop Odo, the factious instigator of all these troubles. At the general request of the inhabitants, Henry was restored to liberty before the close of the year. In 1090, Henry was in possession of the Cotentin, in which he held many strong castles garrisoned by disciplined soldiers. He had resentments to avenge both against Robert, who had unjustly imprisoned him, and against William, who, after having given him his mother's property, seized it, and transferred it to Robert Fitz-Haimon. His two brothers had also quarrelled, but Henry leant to the side of Robert, and was very serviceable to him, when the people of Rouen revolted. It was in the middle of Lent, 1091, that William and Robert, being reconciled, besieged their brother in Mont Saint Michel. After a resistance of fifteen

days, during which he suffered greatly from want of water, Henry capitulated, passed into Brittany, from whence he retired into the Vexin, where he remained two years in poverty and exile. At the close of 1092, the inhabitants of Domfront offered him the sovereignty of their town, which he accepted, and which he ever afterwards retained, in spite of his two brothers. He was ultimately reconciled with William in 1094, and fought under his banners in 1097.

When Duke Robert determined to join the crusaders in the Holy Land, Henry not only possessed Domfront, but he had also acquired a very considerable portion of the surrounding country, and lived perfectly independent of his brother. Robert applied to him for money to equip his expedition, and he gave Normandy as security for its repayment. The duke departed for Palestine, in September, 1096, accompanied by several of the Norman barons, among whom were his uncle, Odo, Bishop of Bayeux; Rotrou, son of Geoffrey, Earl of Mortagne; Walter of Saint-Valéry sur Somme, and his son, Bernard; William de Ferrières; Girard de Gournay; two sons of Hugh de Grentesmenil, and many other distinguished nobles.

Wace next relates the revolt of Maine from the sceptre of William Rufus. The city of Mans is seized by Hélié de la Flèche: a nephew of the last count of Mans also claims that territory, but he sells his rights to Hélié, his cousin, who is acknowledged as their lawful sovereign by the Manceaux. The Norman garrison dispatch an envoy to Rufus, requiring assistance, and he meets the king, just as he is setting out on a hunting expedition; this however is postponed, and the messenger is desired to return, and assure the Normans that William will immediately march to their succour. He embarked from Southampton, quickly arrived before Mans, which he seized by force, and gave the houses and lands, as a reward, among the defenders of the castle. Hélié retired to a castle on the Loire, and the king attacked another of his castles called Mayet, in the arrondissement of La Flèche; but he was compelled to raise the siege. He retreated to Mans, and, on the route, his soldiers committed great ravages. Hélié was surprised in an ambuscade, and made prisoner; he was sent in custody to Rouen, but soon liberated, the king warning him against the consequences of a second revolt. Rufus, having terminated this campaign, returned to England, and was, shortly afterwards, slain, while hunting in the New Forest, by Walter Tyrrel.

This account of the revolt of Maine is very inaccurate. The events, which Wace fixes in 1090, did not happen before 1099. It was not after, but before, the siege of Mayet, that Hélié de la Flèche was taken prisoner. He was returning from an incursion into the lands of Robert de Bellesme; when he fell into the hands of that baron, who waited for him near to Dangeul. Robert conducted him, as a prisoner, to the king, who sent him, under an escort, to Bayeux, and availed himself of this opportunity to invade Maine. It was after this military expedition, that Hélié was brought to Rouen, and set at liberty. William at first treated him kindly; but influenced by the advice of the envious Robert de Meulan, he obstinately refused all honourable terms of accommodation. Hélié left him, highly incensed, and, from revenge, created the insurrection in Maine, which gave rise to the expedition of 1099. *(To be continued.)*

THE HERMIT'S PAPERS.—No. 8.

Mentre il jam satis ritrovar vorresti,
Vedi per tutto il quid libet. audendi!
SALVATOR ROSA.

READING, Mr. Editor, is a perpetual feast, but it is an awful thing to write! The Hermit of Prague had never seen pen or ink; and Martin Luther, who flung a ponderous ink-horn at Baal-di-Bobo's head, was probably of my opinion.

Only think of the wonders achieved in almost every department of social utility by the 'deficientes primâ nun,' who never wrestled with A, or the 'quiescentes primâ Aleph,' who most judiciously halted at B, there made their full stop, and bade adieu for ever to Syren literature's fascinating and slippery threshold!

It was St. Francis of Paula, for instance, who founded a congregation of Hermits called 'Minims.' Yet Messire Philippe de Comines, who protests he never saw 'un homme de si sainte vie, ni où sembler mieux que le Saint Esprit parlat par sa bouche,' will tell you that Francis was neither 'clerc ni lettré'; 'car IL N'APPRIIT JAMAIS RIEN.' N'apprit jamais rien, forsooth! It is rather galling to talk of saints and wizards in the same breath; still, let me ask, which of the votaries of Apollo Soractis, or good old mother Feronia, could have silenced an infidel brother Antony more effectually than our Hermit did, when he 'snatched a fire-brand from the hearth, and grasped it smiling in his naked fist?'* Which of those elder deacons of the craft, whom Aruns was wont to remember in his prayers, was worthy to be compared for a moment with Louis Onze's best and last ghostly comforter? -

Summe Deüm, sancti custos Soractis Apollo,
Quem primi collimus, cui pineus ardor acervo
Pascitur, et medium, *fratî pietate*, per ignem,
Cultores multâ premimus vestigia plantâ!

We know, however, that a certain pilgrim boiled the peas ere he put them in his shoes, and it is clear from Varro that the heathen fire-walkers, 'ambulatori per ignem medicamento plantas ungebant,' had a fire-proof ointment for their soles and toes. Indeed, honest Proto-Notary John Burchard, (in the Savonarola case,) silly hints that the worthy Minims never walked through the flames without their 'enchanted' cloaks.

Nor am I, Mr. Editor, the only ecclesiastical dignitary† (forgive my presumption) whose experience of the terrors of literary enterprise might justify such mortifying disclosures. There issued, in dreams and visions, night after night, some forty years ago, from the silver-tongued mouth of one of our insular church's brightest ornaments, frightful imprecations against 'chu peste de bée-à-ba;' which it is impossible for me to forget. Ce n'est que le premier pas qui coûte. The learned and amiable rector in germine's puerile anguish, in all its various tones of plaintive melody, too well informed the trembling ear of a truant schoolfellow of his, that Maître Massi's 'nère épine' was spiritually present.

Peace to that good old soul! But his sloe-switch was a tough one.

Ever ready, as you see, to fly off at a tangent after his old zig-zags and parabolas, the Hermit only meant, when he took up the pen, to apologize for the unavoidable poverty and ruggedness of his contributions. Among the 'Minims' of our faint hearted order—whether emperors or nobodies—who have given (as they say in Italy) 'un calcio al mondo—un coup-de-pied au monde—there is no demand whatever for that rapid and continuous procreation of ideas which the business and pleasures of this best of all worlds (pumps and vanities excluded) draw upon so largely. Is it, after all, a misery to have but few wants, and still fewer cares? The smartest of us are, like Father Maffei and his ten lines a day, 'cursedly confined.'‡

Should it be desirable to resume the sketch of 'Our Reformed Church,'—a task undertaken with a steady resolution not to invite controversy—the facts of the case will be coolly stated in chronological succession. In the meanwhile I send a Welsh ballad. Perhaps 'between this and Easter fair,'§ I might recollect the missing stanzas of 'Perrotine Massi.'

Toujours le même,

UN PAUVRE HERMITE.

* Bulla Canonizationis Leonis X. Vit. ss. ad April 2. (Qy. April 1!)

† I find 'a Quaker' and 'a Steeple' among the 'ecclesiastical dignities' in my Low-Dutch Grammar.

‡ Dryden.

§ So we say at Gottingen.

THE FLIGHT OF St. SAMPSON.

A. D. 555.

On death's fresh mound, in her lone state,
A mother kneit and sobbed,
Screamed, like an eagle's wounded mate,
By savage huntsmen robbed.

Her Modred's heir, decoyed and slain,
Shall win the field no more,
And Caer Went's* altar, clasped in vain,
Is red with royal gore.

The mournful saints of Caw's blest line
For Modred's children weep,
While Quilloq hurls at Constantine,
Her curses loud and deep.

St. Malo flings, in many a prayer,
Near German's holy well,
On Arthur's house more plagues than e'er
On Pharoah's kingdom fell.

Stern Gildas, eloquently dumb,
Uplifts his baleful eyes,
As if the flash of wrath to come
Had rent the frowning skies.

Wo to the land! False Constantine's
Last foes are doomed or dead!
Great Uther's diadem now shines
On that proud murderer's head!

And, lo! St. David's anxious heir
Glides through the shades of night,
To kiss once more the saint's cold bier
And speed his hasty flight.

His weeping clerks round Sampson stand,
In their long robes of snow,
Then kneel, while from that reverend hand
Paternal blessings flow.

For ah! Damnonia's impious king
Sits on her tottering throne,
And sad Menevia's roof must ring
With accents not her own.

The sun turns pale!—earth quakes around—
Drash's tenants howl, 'Prepare!
King, thou art weighed, and lighter found,
Than all thy fathers were!'

Man's care-worn face again may shine;
Though filled with drops of woe,
His cup with Eshcol's richest wine
Again might overflow;

And hovering o'er life's thorny way,
Kind Ministers of light,
Ward off each dart that flies by day,
And plagues that walk by night.

Heaven safely guides earth's trembling saints;
What then have they to dread?

Still each frail heart at danger faints,
By faith and hope though fed;

And, as we turned, once more to view
Menevia's fading towers,
No dazzling arch of emerald hue
Sparkled amid the showers!

In Ramsay-cove a galley rides;
Lights glimmer on the shore;
The startled curlew waking chides
The loudly-splashing oar;

And many a tender bosom heaves,
As, waving still that hand,
Ere morning blush, her prelate leaves
Our guilty fatherland.

The vast Atlantic round him spreads
Till glorious visions rise,
As o'er the deck he slowly treads,
Before his mental eyes.

Tidings of gladness to impart,
Wafted on seraph's wings,
Heralds of mercy tell his heart
Unutterable things.

Wreaths of pale radiance gild his brow;
While angels from on high,
Say, 'Child of Amon, peace!' Thy vows
Are heard above the sky.

Go to the land, where warriors tried,
The sires of thy new flock,
Once followed, sheathed in Roman pride,
The Lord of Meriadoc.†

From steep Llan-Vellin's rocky shrines,
Where merry kiddings browse—
From that hoar mount of waving pines
Old Carac-loase-in-Couse.‡

There, cheered by faith's triumphant smiles,
New trophies may be won
By thee and thine, in fairer isles
Than Inis Avallon.§

Truth's holy sabbath-knells may ring
In AVOIA's lonely dells,
And SARNIA to the winds will fling
Idolatry's vain spells;

Till that bright morn of glad release,
From error's long controul,
When knowledge, freedom, wealth and peace,
Shall reign from pole to pole!

Sigh no more for that happy rock
Round which Neath ebbed and flowed!
Weep no more for Caer-Caradoc,
Or Banger-is-y-Coed.***

* Winchester.

'—to Wynchestre—ther wyth sorwe y nou,
In chyrche to vore the heye wened Constantyn hym alou.'

Robert of Gloucester. Reprint: p. 234.

† Not a few of these solar discolorations, as omens of national disaster, will be found in the songs of the Bards and in the Saxon Chronicle.

‡ Compare Father Strada's account of the luminous circle, round the Flemish Governors Requesens' highly favoured temples at the passage of the Scheldt. De Bello Belgico, t. i. l. 8. p. 408.

§ Les historiens Bretons nous racontent merveilles de leur conan (Mériadec). Ils disent que Grallon, surnommé le Grand, lui succéda, et qu'il était venu avec lui de la Grande Bretagne. Mézerai. Origine des Français, p. 357.

|| The 'hoary Mount in the Wood,' now St. Michael's, Cornwall.

¶ The Isle of Spirits—AVALON; for, to repeat, with the word-catching acoliists of these latter days, that the island of the beatified was thus called from its apple-trees, were to prefer the cold and prosy conjectures of Norman shavlings to the inspirations of Bardic mythological poesy. Glastonbury, like paradise, had its 'sea of glass;' (ΜΟΝΟ-Ω-ΥΓΓΑΣ, Rev. iv. 6;) and Cymrian grammatical divines assure me that 'Inis AVELON est Insula SPIRITUALIUM, sive Αφελλα,

However becoming it might seem in the collector of these indifferent relics, to submit at once to such an authority as Johnson's, I humbly question whether the remains of a remote or ancient people are not a decided exception to the rule which supposes that the text of a real poem requires no commentary. I think it is the justly admired author of the *Pilot*, who asks: 'Which of his readers had ever heard of the *Kings of Austrasia*?' A clear proof this that Mr. Cooper himself had no very comprehensive notion of European history; and that a good novelist need not trouble his thoughts much about the origin and progress of German, French and Italian civilization. But, if the part played in the western world by the sons and grandsons of Clovis the Frank, be sufficiently prominent to command attention, this is more than the amateurs of Celtic lore have a right to expect for the cast-off dowager queen Killog and her brothers and cousins, 'The saints of Caw's blest line.'

Quillog, (for there were no K's in Cornish,) the widow of king Modred, Arthur's nephew, is here introduced (Stanz. 1, 2, 3.) mourning for her two sons. One of these was stabbed in London, the other at Winchester, by Arthur's heir, the usurper Constantine of Cadur, and as the saints Gildas, of Bath, and Malo, of Llan Garmon, were their maternal uncles, the retreat of the latter ecclesiastical worthies to Little Britain, A.D. 555, is thus accounted for. (See Chron. Sax. and Mat. Westmon.)

National annalists (who identify 'the traitor Modred' with antichrist and the man of sin) have, notwithstanding, observed a mysterious silence on this connexion of our patron saints with the grand enemy, of whose advent at the end of the world, for another 'conflict of two days' at Camel-ford, in Cornwall, wonderful things are sung by Welsh harpers.* They forget that Constantine was the natural enemy of his victims' uncles; and, to account for the sudden departure of our first bishop, St. Sampson Mab-Ammon, have recourse to the Irish *Crom Conail* and British *Fad Felen*, or Yellow Plague—a contagious distemper, the result of war and poverty, which rendered, quoth old Ricemarch, the sufferers 'yellow and bloodless.' It is probably the same epidemic which Procopius has so graphically described.

The seven years' war between Arthur and his nephew Modred, (535-542,) shows by its duration, that Arthur's valour and experience were balanced most completely by the superiority of Modred's forces. The latter's intimate alliance with the Saxon Cerdic seems to have been, politically speaking, a judicious and fortunate measure. It is, alas! too plain that the national hero was but the spurious offspring of dragon-crested king Uther, and the Cornish Lord of Tintagel's unfaithful spouse, Igerna; but, in those sad times, the miserable comfort of a pair of horns,† and crim-con satisfaction, was usually obviated by some Merlin or other's miraculous interposition. Having buried his Cornish cuckold, the royal adulterer made the frail widow his queen, in humble imitation perhaps of the first Roman emperor; and, since Modred was the son of this respectable pair's legitimate daughter Anne, he was as much the lawful heir as Cardinal Stuart; or the modern Hamlet, poor wandering Gustavius of the royal heart and feeble mind; or Charles of Brunswick; or Henry of Bordeaux.

And here I presume to demur against those honest patriots of the mountains and marshes who not only censure our uncle St. Gildas, but even do their utmost to extinguish him altogether as an historian, on account of his *black* picture of Welsh principalities and powers. If it were less dark would it be truer? He talks of Constantine, king of Cornwall, as a cruel and bloody prince polluted with abominable lusts—of Aurelius, king east of Severn, as a parricide and horrible tyrant—of Vortipor, king of South Wales, as an atheist and a persecutor—of

* How wild Merlin, a pupil of Taliessin, in 542, can have predicted Cadwallader's return, Mr. Jones has not explained! (*Musical Relics of the Bards*. London, 1784.)

† These horns, quoth the ingenious author of *Masal Cadmoni*, hyperbolically denote the unfortunate husband's OD-FENIO-XEEN discontented *horribly* wrinkled face.

ut Æolico utar vocabulo. Notissimum est Monachos olim appellatos fuisse πνευματικούς sive θεοδωρους: yet, since *aval*, in Bas-Breton, (and I think South Welsh,) both means *wind* and *spirit*, the isle of *Avalon* is evidently that asylum of disembodied warriors and saints, princesses and nuns, ferwers, fays or dusky, where

'Immodivè lassus, Arthurus tendit ad aniam
Regis Awallonis; ubi virgo regia vulnus
Illius tractans, sanati membra reservat
Ipsa sibi; vivuntque simul—si credere, fas est.

** 'Caer Caradoc,' (now Salisbury,) and 'Bangor under the Wood,' were, according to the Triads, two of the 'perpetual choirs' of Britain.

Cuneglas, king of North Wales, as old in vice and famous for impiety—and of king Maigo, of Anglesey, (cousin Modred's half brother,) as a heaper up of riches by rapine and violence. The angry saint had, it would seem, neither back-stair influences, nor provincial partialities to check or modify his worse than Peytonian or Fraserton anti-royal eloquence: but, is the free power of abusing kings and ministers the true liberty of conservatives? (See the said Fraser's astonishing diatribe against "THE COCKNEY-KEL," his most sacred Majesty, George the Fourth.)

Far be it from us, however, to white-wash Modred's infernal reputation. It is said that this lawful heir, while Arthur was abroad, took unto him his almost nonagenarian uncle's 'fair delight;' for such is the interpretation of *Gwen-Hwyfar*—the title of Arthur's three female companions or queen consorts. Though it be true that Modred's *Quillog* (id est *old woman*) was neither very fair nor very *delightful*, these faults or defects furnish no excuse whatever for such an unseemly transgression; and one is almost ashamed to add, that it was the custom of Low Germany, as well as of West Wales (now Cornwall), for the new king to take unto himself—after the oriental fashion—his predecessor's wife or wives.

As I have filled my sheet, I say no more; but let the Hermit assure his tolerant readers that he would have taken no notice at all of those angelic apparitions and shocking miracles which disfigure many a legend of 'the saints of Caw's blest line,' (to say nothing of their readiness at cursing and blessing 'with the same mouth,') if these discreditable items could be safely erased from a record which time has so carefully preserved.

LINES

SUGGESTED ON NOTICING A TRANSIENT THOUGHTFULNESS ON THE COUNTENANCE
OF A SWEET AND AMIABLE BRIDE, AT A WEDDING DINNER GIVEN IN
COMPLIMENT OF HER NUPTIALS.

By MRS. CHARLES DE HAVILLAND.

THERE hung upon her placid brow a sadness,
A joyous, yet, methought, a mournful look,
As though her thoughts had touched some secret chord
From which, when felt, all sensitive, she shrunk;
And strains were there which she could not forget,
The by-gone harmony of vanished years.—
Though joy flashed from each eye, in her's were tears;
For memory's train awoke the magic spell
Of bliss departed and affections blighted,
Melting her heart like tones of dying cadence.
Her brother absent—Mary felt alone!
To her that brother oft had been a shield,
A shelter 'mid the storms of life; on him
Her gentle spirit had securely leant
For counsel, friendship, and affection pure;
Nor did he love her less than she loved him,—
No act, no word of his had ever grieved her;
He felt and showed for her in weal or wo,
More of a father's than a brother's love.—
Alas, the change! Those sunny hours are flown
And in their stead averted looks bespeak
Departed confidence—these kindred beings
Once linked in heart and soul, now, when they meet,
Cast looks of cold indifference on each other,
And yet, 'tis in the outward glance alone
This seeming hate exists, their hearts still bleed
With deep affection, and this struggling war
Which kept their dearest feelings thus suppressed,
Oft burst in tears of anguish down their cheeks
Whilst sighs deplore the sad estrangement.
The stream flows on though troubled in its course,

And hope, though distant, hath not disappeared.

Smiling and joyous was the nuptial banquet,
The young, the lovely bride in all things blessed
Save in that thought, that lingering painful thought,
Which cast a shade of sorrow o'er her eye,
As the dun cloud that veils the sun's bright rays,
Dims the effulgence of the glorious orb,
And then dissolves, as if 'twere sin to rest.
Thus came that shade of thought, and — disappeared.

HISTORICAL NOTICES OF THE CHANNEL ISLANDS.—No 13.

(Continued from page 179.)

At the close of the civil war, a declaration was drawn up and presented to Oliver Cromwell, explaining the condition of Guernsey, which contains very curious and interesting matter. It first exhibits the great poverty of the inhabitants, only one twentieth part having any substance; it states that two or three persons have £200 per annum; not ten, one hundred pounds; and not thirty, fifty pounds per annum. It then proceeds in the following terms:

“The number of inhabitants amounts to about eight thousand in a small island which has a circumference of about twenty-six miles, and which measures in its broadest part from four to five miles; and this calculation includes downs, cliffs, creeks, headlands, &c., which being deducted, there cannot remain above eighteen or nineteen miles of circuit of improveable land, all the tithes thereof not valued at above five hundred and fifty pounds, to be farmed.

“The land is subject to manifold dues, not elsewhere levied in such a manner; but, in such a miserable place as Guernsey, all ploughed land pays tithe, and besides, a most grievous custom, called campart. This campart is the twelfth of every sheaf of the field, to which the generality of the island is subject. Campart is of two sorts; some belong to the state, and produce, one year with another, ninety-one pounds sterling. Others are the property of individuals, and amount, one year with the other, to one hundred and seventy livres ten sous tournois.

“The ground is let at a very high and dear rate. An acre of Guernsey measure being but about one-third of the English acre, yielding commonly of yearly rent three bushels per acre.

“Poverty compels the inhabitants to sell their lands, and of all the price that their inheritance is sold at, as many times thirteen as therein are numbered, so much is pretended to be the right of the governor. (This clause relates to the treizième.)

“Hence it comes to pass, that there is an universal discouragement from ploughing and improving the island, two thirds being covered with fern and furze, and those who do cultivate the land, act from sheer necessity, and not from the hope of profit, as there are deducted from the increase of the fields, chief rents, homages, services, tithes and campart, which amount to one sixth of the value, and in some estates to one fifth. Rent must also be paid to the laudlord, which is a third higher than in England: to this must be added the expense of vraicking, dunging, ploughing, weeding the ground, reaping and thrashing the corn. It generally happens that, every other year, the husbandman is behind hand, and holds not his principal, and in a bad year, every one is a loser. Hence it arises, that the island is commonly in great distress, and the countryman in a mean condition, more especially in a bad year, when he has not sufficient corn to pay his rent and supply himself with food. Such are the constant causes of poverty within, to which may be added the exactions of the governor.

“Since the year 1642, a mass of evils, like a flood, have overflowed the

island, and all that was left good in the condition thereof. The inhabitants, for declaring themselves, and continuing faithful to parliament, have lost their ships; their traffic, and trading; their harbour and port have been closed and shut up by the rebellion and revolt of Sir Peter Osborne, in the castle called Cornet. The inhabitants, during the heat and danger of war, were in continual fears, services, and watchings, commonly twice a week, sometimes thrice; they had frequent alarms from Jersey, from Castle Cornet, from Normandy, from Brittany, and from the king's ships; they were always in arms, as in a garrison, a frontier place remote from England; they constructed fortifications, and several works for their defence, and were at their own charges, for reducing and keeping Serk. They have paid for the maintenance of frigates, to prevent relief being given to the castle; for beds, candles, and fire for the soldiers, and divers other disbursements, amounting to above thirty thousand pounds. But what grieved the island the most, being an evil undeserved, was the filling it with soldiers, when, for seven years before, by the mercy of God, and the faithful endeavours of some active inhabitants, they had preserved themselves and the island in obedience to parliament; and when the king was put to death, and his party and interests brought low in England, there was no reason to fear for the inhabitants, who were then kept under like slaves, affronted, threatened, beaten; their orchards were robbed, their trees cut down, and their sheep stolen. The parliament promised that the soldiers should be no charge to the inhabitants, yet they took no notice that the island was almost undone, and could not bear the burthen. In England, soldiers pay for their bedding, fire, and candle, or else are quartered at inns and alehouses; but the soldiers extorted this entertainment from us. In this particular, the island has paid, in five years, above seven thousand two hundred pounds.

"The humble desire thereupon is, that there may be some charitable and just relief, since the inhabitants are members of the commonwealth, as well as others in the great parts thereof. That the unreasonable payment of the aforesaid thirteenth be no longer paid, but remitted. That camparts, likewise, at least those that belong to the state, amounting to about ninety-one pounds per annum, be remitted and abolished. It is a small thing for the state to grant, and is of great consequence to the welfare of the island, in reference to the breaking up and ploughing of the land. The state will be no losers thereby, for when the people are encouraged, they will be enabled to defend the island by their own means, having provisions within themselves. And if this exaction, no where practised but in Guernsey, be remitted and abolished, tithes will increase, as more land will be brought into culture when this discouragement ceases. This is the burthen of which they have complained at all times to Queen Elizabeth, and to the two last kings, and to parliament, and of which they have been promised redress by the council of their several majesties. And this promise was one of the strongest inducements to continue them firm in their duty, under their incomparable evils during the wars, viz. that the campart should be abolished.

"Touching the fidelity of the inhabitants. The fidelity, inviolable affection, and adherence to the crown and state of England from the conquest, appear from the acknowledgment, approbation, esteem, and special commendation of several kings, queens, and of the late parliament, which have been communicated from time to time to the inhabitants of Guernsey, as it appears by the records of Edward the Second, Richard the Second, and Henry the Fourth.

"Parliament, on the 23rd of March, 1643, did commend the faithfulness of the inhabitants, and did heartily thank them for the same, and as a token of the confidence they reposed in the fidelity and manhood of the said inhabitants, they committed the government of Guernsey and the management of affairs there to twelve of the inhabitants.

"And indeed all the inhabitants have been most loyal and obedient in all services, to their great expense, and to the dangers and perils of their

persons, for the crown and state of England. King Edward the Third, in the fifteenth year of his reign, praises them for their constancy and magnanimity in preserving the island, and acknowledges their great losses and perils of body. They suffered and overcame many evils in the reign of Richard the Second. The strong castle of Mont Orgueil was taken by the French: Guernselymen recovered it, whereof several princes make honourable mention.

"The island of Serk has been twice lost; the Guernselymen recovered it on both occasions, and during the wars, have for a long time kept a garrison there at their own charges. Castle Cornet has revolted thrice by the perfidy of the captains and governors. Sir Peter Osborne was the last who, with thousands of great shot from Castle Cornet, battered the houses of St. Peter-Port about the ears of the inhabitants; but notwithstanding all the mischief he did, neither his promises nor threats could move the inhabitants from their affection and loyalty. On the two former occasions, the inhabitants recovered the said castle.

"And whereas, for the avoidance of many inconveniences in the island of Guernsey, it was the will and pleasure of parliament, on Monday the 29th of August, 1653, to order an establishment to be thenceforward observed in the court of the said isle, viz, that the twelve jurats there take their turn to hold and execute the office of bailiff, or president of the court, for the space of a month only and no longer. The inhabitants do declare by us, that they are very well satisfied with this establishment, as finding great benefit therefrom, and humbly desire that it may be confirmed. And whereas Mr. P. De Beauvoir, des Granges, is a man of strange temper and disposition, who, from his aspiring desire to be bailiff of the island, and ever since he was ousted by the council upon complaint by articles, has left no stone unturned to reinstate himself in the said office; and whereas the said De Beauvoir, by himself or his friends, upon false pretences, does endeavour to procure the abolition of the said establishment, and to thrust himself upon the people; may it please your Highness to continue the satisfaction of all the inhabitants, so that there be no alteration of what is already ordered.

"And forasmuch as many enemies of the island, and of the good of the people, under various plausible pretexes, have done very great disservices, and brought much mischief upon the said inhabitants, by their suggestions to the parliament and the council, whereof the islanders had no notice, and the mischief of which, accordingly, they could not avoid: May it therefore please your Highness and your right honourable council that, upon any information whatsoever of person or persons tending to the prejudice of the said island or islanders, or the change or abolition of the laws, customs, and privileges, either in the whole or in part, the Court or the States of Guernsey, may be first informed, and time and liberty be given to them to answer, before any thing be granted to the desires of any informer or informers: the neglect whereof has been cause of infinite abuses and evils to the island, as the late parliament have countenanced (not thoroughly knowing them) very base and undeserving men, to the great disservice and damage of the state.

"They also humbly crave the renewal and increase of some of their privileges, viz. for wool and calves' skins. Also, as the licences are given, not only for the use of the bailiff and jurats, but also for the inhabitants, they humbly crave to have the disposal of them.

"Castle Cornet, as it is at this day, and as it has been for many years, commanded by a governor or lieutenant-governor, and other officers, with private soldiers, provisions, and ammunitions of war, building of platforms, walls, works, and dwellings, with such repairs as the governors have, from time to time, thought convenient for themselves, or for the place, will be found to have cost annually, three thousand pounds sterling to this state. It cannot be presumed that this state should undergo so great a charge in maintaining the said castle, if it were not represented as useful and serviceable, either for repelling a foreign enemy, or retaining the islanders in their duty. In both which cases (as it is humbly conceived) the said

castle is altogether useless, and that we shall endeavour to make appear by reason and experience.

"As to matter of defence against invasion, it should be remembered that there are several places in the island distant from the said castle, some three, some four, some five miles, so that no cannon from thence could hinder an enemy from landing at pleasure: then the said castle is surrounded by the sea, except one hour, or thereabouts, in a fortnight's time, so that the soldiers from within the castle cannot sally out into the island by land; nor by boats, there being no shelter for them about the castle, and they would be at the mercy of such guns as may be planted upon the harbour and places adjacent.

"And it has been observed during the late troubles, that ships did securely ride in the roadstead out of command of the castle, from whence many thousands of shot were cast away without annoying them; neither could it hinder the sailors, or others, from coming to the island.

"As for the curbing of the inhabitants of the island, if there were cause, it may be considered that the islanders are a great deal too numerous to be mastered by the ordinary guard of the castle in open field: and all that can be done by the guns from within the castle, can but batter some houses in the town, an island of this extent not being likely to be awed by a castle remote from it, as has been proved by the experience of nine years.

"It may be further observed, that the islanders have never deserted the English interest, as may more at large appear by the different charters granted by the several kings and queens of England from time to time, and by their constant fidelity to the state and to your highness. Besides, there is no likelihood that an island, consisting wholly of protestants, and enjoying very large privileges, should turn towards any of the neighbouring princes, where subjects are so vassalized in their consciences and estates. Again, their political interests fasten them to England, without the commerce whereof, they can have no leather nor wool for their manufactures.

"It has likewise been observed that, during nine years of the late wars, the said castle having revolted, although the governor had great influence and exerted it to the utmost, yet he was not able to seduce the islanders, nor face them in the field; but, on the contrary, the inhabitants besieged the castle, and would, in all probability, have reduced it in a month's time, if they had been furnished with such mortar pieces and grenades, as were used for the reduction of Elizabeth Castle, in Jersey, a stronger place than this, and twice the distance from the land, and yet it was reduced in less than six weeks.

"It may be further considered that, if an invasion of the island were attempted, it is very likely that not only the governor and the soldiers would retire into the castle, but most of the principal islanders would crowd into it with them, and strive to save the best of their goods there, to the discouragement of the rest, and loss of the whole; whereas, were this castle reduced to a block-house, and some of the provisions of war, and part of the public revenue, employed to fortify the island, the castle would be as serviceable as it is now, and the island much the stronger.

"These things being so, it remains to be unfolded how the said castle came to be of that consideration with our late princes, it being anciently no better than a block-house. First: Queen Elizabeth was persuaded by one Chamberlayne, captain there, to enlarge it with a platform; next, one Leighton found a necessity for girding it with a stone wall: after him, the Lord Carew, and then the Earl of Danby, (whose deputy was Sir Peter Osborne,) who not being content with the revenues of the isle, have, from time to time, made it their business, through friends at court, (under the pretence of augmenting or repairing the works for the safety of the island and the honour of the nation,) to draw great sums of money out of the exchequer, as would be manifest, if the records were searched, and that for the enriching themselves, as is clear by the testimony of many persons yet living, who remember that the said governors have constantly made the poor inhabitants bestow their labour on the said works for little or nothing."

VARIORUM ADDENDA TO THE HISTORICAL NOTICES.

No. 6.

Commercial Privileges.—At the court of Hampton Court, the 2nd of July, 1687. Whereas Sir Philip Carteret, bart., and Sir Edward Carteret, knight, on behalf of themselves and others, his Majesty's loyal subjects of Jersey, Guernsey, Alderney and Serk, did by their petition, among other things, set forth, that since the making of an act in the twelfth year of his late Majesty's reign, whereby a certain quantity of wool was allowed to be yearly transported from Southampton to those islands, the manufactory of wool therein is so increased, that above double the quantity allowed to be exported is yearly used in making stockings, which petition was, on the 13th day of May last, referred to the consideration of the right honourable the lords commissioners of the treasury, and their lordships having this day brought in a report of the same, from the commissioners of the customs, which having been read at the board, his Majesty in council was thereupon pleased to order, that the petitioners be, and they are hereby, permitted to carry yearly from the port of Southampton, of uncombed wool, into the island of Jersey, four thousand tods: into the island of Guernsey, two thousand tods; into Alderney, four hundred tods; and into Serk, two hundred tods; a proclamation bearing date this day, or any other order to the contrary notwithstanding; and the lords commissioners of his Majesty's treasury are to give all necessary orders and directions herein accordingly. (Signed) William Blathwayt."

Ancient Ordinances relative to Shooting in Guernsey.—"At the Easter Chief Pleas, held on the 9th April, 1548, before John Herivel, bailiff. It is ordered that none but the jurats, rectors, gentlemen, and officers, shall shoot or hunt hares or rabbits, under a penalty of ten livres tournois.

"At the Chief Pleas held at Michaelmas, 1581, before Nicholas Carey, judge delegate. No one shall catch fish in the great pond, or the small ponds of his Majesty, without permission of the governor, or in the ponds of the lords of fiefs, without their permission, under a penalty of ten livres tournois; and, whoever kills or snares swans, or destroys or takes away their eggs, shall pay the same fine.

"At the Chief Pleas held at Easter, 13th April, 1618, before Amice De Carteret, bailiff. None but those specially privileged shall hunt or shoot, under the penalty of ten livres tournois; and those who have the right shall not hunt hares between the first of May, and the last day of August, under the same penalty; and every unprivileged person seen with dogs and sticks, although they shall not have hunted, shall be deemed sufficiently guilty, and be convicted, and sentenced to the same penalty, as though they had killed a hare.

"At the Chief Pleas held on the 4th of May, 1681, before Amice Andros, bailiff. To put a stop to the destruction now made of hares, rabbits, and pigeons, by all sorts of persons, it is prohibited to all the people (except those who are privileged) to hunt or shoot, under a penalty of twenty livres tournois, payable, one half to the informer, and the other half to the governor; and this present ordinance is also to extend to fishing in the great pond, under the same penalties. To be publicly cried in the market place next Sunday, that all may have knowledge of it.

"At the Chief Pleas held at Michaelmas, on Monday the 17th of October, 1681, before John De Quetteville, lieutenant of Amice Andros, esq., bailiff. It having been represented to us by the lieutenant-governor, that several persons have illegally fired at game and hunted in the *Clos du Valle*, and the lieutenant-governor demanding that this district be reserved exclusively for himself, it is ordered under a penalty of twenty livres, whereof one half is to be payable to the informer, and the other half to his Majesty, that no one shall hunt in the *Clos du Valle*, or shoot at partridges, hares, rabbits, or pigeons.

"At the Easter Chief Pleas on the 18th April, 1692. It was ordered, on the demand of the king's procureur, that no one, not even the magistrates, should hunt hares or rabbits between the 15th of April and the 15th of September, under the penalty of fifty livres tournois, that the growing crops might not be injured."

Surveillance of Taverns.—"At the Chief Pleas held on the 17th of January, 1692, before Amice De Carteret, bailiff. All tavern keepers are forbidden to retail any liquor, until the constables have tasted it, for which tasting they are to be paid, under a penalty of eighteen livres tournois, payable to the constable."

Vraic at Herm and Jethou.—"At the Easter Chief Pleas, held on the 8th of April, 1616. All strangers not dwelling in the island are prohibited from gathering

vraic at Herm or Jethou, under a penalty of ten livres tournois, and confiscation of the *vraic* they may have collected, payable, one half to the informer and the other half to his Majesty, excepting the inhabitants of Serk, who may gather *vraic* on the east side of the said islands, but not elsewhere; and George Whitcombe, now farmer of Herm and Jethou, is desired not to allow strangers to gather the said *vraic* and carry it away, under the pain of being punished at the discretion of the magistrates."

Erasion of the names of Oliver and Richard Cromwell from the Greffe. The 15th of May, 1661, before Amice Andros, esq. bailiff. It having pleased his Majesty, by the advice of his privy council, to order and command that the names of Oliver and Richard Cromwell, and those of other tyrants and usurpers inserted on the public registry of this island, be erased and cancelled; the court, paying humble obedience to the said command, has ordered, and by these presents does order, that the names of the said tyrants and usurpers be erased from the said registry, and from all contracts and writings whatsoever, in which they are named, in order that their memory may not remain; and the court further orders that those who acted as bailiffs or jurats under the commission of the said tyrants and usurpers, and attested contracts since the death of his sacred Majesty Charles the First of happy memory, and to which contracts they affixed the seal of the island, shall be deemed as having had no authority whatever so to act; and it is required that all such contracts be renewed within a year, counting from Michaelmas day next ensuing, under the penalty of their being considered null and void after the expiration of the time mentioned.

Ancient hours of the Royal Court.—"At the Chief Pleas held on the 4th of October, 1624. It was ordered that, for the future, the court should assemble at half-past nine on every Monday, and the advocates are directed to deliver their causes to the bailiff or his lieutenant on the previous Saturday before sun-set, otherwise their causes will not be heard; and it is further ordered that the Saturday's court shall rise at one o'clock after mid-day, without being obliged to sit later, however important the case may be."

Dinners at the Chief Pleas.—"At the Michaelmas Chief Pleas, held on Monday, the 1st of October, 1683, before Sir Edmond Andros, knight, bailiff. On the offer of Mr. John Andros, his Majesty's receiver, to pay to the Royal Court a stated sum of money, in lieu of providing them with a dinner, the court refused to accept the said offer, and ordered that the receiver should furnish them with a dinner, as has been the practice from the earliest times, and to which they have a legal right."

Chevauchée.—At the court of judgments and records, held on the 16th of May, 1572, before William de Beauvoir, bailiff. At the suit of Noel Lihou, procureur of her Majesty the queen, it has been decreed by final judgment that, for the time to come, the chevauchée of her Majesty shall pass close before the west gate of the church of St. Peter-Port; and it has been reported to us by several persons worthy of credence, and who have confirmed their declaration by oath, that they have seen a sealed letter, by the tenour of which the senechal, vavassors, and officers of the court of St. Michael of the Vale are ordered to go to the said gate on the west side of the said church of St. Peter-Port, and there have a round table well and liberally supplied with bread and wine at the cost of the receiver of her said Majesty, which letter also accords with another letter which has been presented to us, dated the 9th of July, 1439."

SAILING DIRECTIONS FOR THE ENGLISH CHANNEL.

BY CAPTAIN MARTIN WHITE, R.N.

THIS extensive maritime survey was commenced by Captain White in 1812, and continued with little intermission to 1829. We learn from the introduction to the work, that it included the whole soundings of the English Channel, from the Strait of Dover to the western edge of the Bank; a minute examination of the Channel Islands, as well as of the various groups of rocks between them and the French coast; a considerable part of the Bristol Channel; and several detached portions of the coast of Ireland. The Lords

Commissioners of the Admiralty ordered these sailing directions to be printed. Without the plates the price is only five shillings; with the plates, which are beautifully distinct, the price is twelve shillings and sixpence. Of its national utility, only one opinion can be entertained, and it deserves a place in every cabin.

Seventy-six pages are devoted to the navigation of the Channel Islands, besides the plates which show all the important landmarks. A variety of tide tables are also inserted, which enhance the usefulness of the publication. We shall make a few extracts from the work which will convey some general idea of its value. Our first selection is from Captain White's remarks on the appearance of Guernsey and Jersey, as viewed from the sea :

"Though a section of the island of Guernsey, if taken from south to north, would decline in nearly the form of a wedge, the highest part of which would be the southern shore, while a section of the island of Jersey would decline in a contrary direction, or from north to south, yet these discriminating characters do not so immediately manifest themselves on falling in with the islands from the westward. Viewed from a westerly direction at any considerable distance, both Guernsey and Jersey appear level; the Braye du Valle in the former island, and the low land of St. Clement in the latter, being yet in the horizon. The profile of Guernsey, however, is somewhat more irregular than that of Jersey; the western shore of the former is also clothed with a greater degree of verdure than that of the latter, and appears, in consequence, of a deeper shade. St. Ouen's Bay, in Jersey, has suffered very considerably from the encroachments of the sea sand, so much so that the whole of the western land between the Corbiere and Le Tac appears identified with it. The most remarkable features which first present themselves on Guernsey, when running for the western end of that island, are the white castellated Tower of Rocquaine, Pleinmont Guard-house, the Church of Torfeval, and the Tower of Le Ré. The former stands on the south-western part of the island, and nearly in the centre of the sandy bay which bears that name, and the latter in the northern part of the said bay, near the isle of Lihou; on the heights to the southward of which stands the guard-house of Pleinmont, very little removed from the edge of the lofty cliff. The Church of Torfeval stands somewhat inland, and is furnished with a high steeple, being as remarkably conspicuous in this quarter of the island as Catel and Vale Churches are in the northern part.* As you approach the coast, the declivity of the northern land begins gradually to emerge from the horizon, presenting a surface prettily diversified with houses, churches, windmills, and groups of trees, and which are still more conspicuous if seen from a north-westerly position. All the western shore of Guernsey is studded with rugged precipitous rocks, many of which are wholly detached from the land.

"The approach to Jersey from the westward is marked nearly in a similar manner; the first objects discovered are the Churches of St. Pierre and St. Ouen; St. Ouen Windmill, with an extensive range of buildings on the sandy heights, called the barracks of St. Ouen, and now and then the Turret of St. Marie Church, with that of Tour d'Auvergne, will manifest their position from among the trees in the interior of the island. St. Pierre and St. Ouen Churches stand high; the steeple of the former is very lofty, that of the latter merely a turret. On a nearer view, the five Martello Towers on the sandy beach of St. Ouen will present themselves, and also the Corbiere Rock, with the declining land to the south-eastward, the surface of which latter is completely covered with wood, and its base with sand and rock. Such are the preliminaries which characterize the features of Guernsey and Jersey, nor can they be mistaken even by a stranger. In fine weather these islands may be seen nine leagues.

"The state of the weather, as well as the direction and force of the wind in the vicinity of Alderney, does not always correspond with that at Guernsey and Jersey, being frequently local or peculiar to itself; owing, perhaps, to its being in the immediate vortex of the tides, which are in constant state of circumvolution, and this more particularly during the new and full moons. At that period I have experienced a difference of four points, viz., the wind from E. by N. at Guernsey and Serk, and from N. E. by N. at Alderney; both blowing at the same time upon a south-western tide, lightly or moderately in the neighbourhood of the former, while the vessels near the latter were under double-reefed mainsails. Upon a north-eastern stream I have often found the wind S. W. by W. at Alder-

* * An elevated stone column, or obelisk, has also lately been erected on Point St. Martin, in honour of Lieutenant-General Sir John Doyle.

ney, while at Herm it blew W., with similar variety in strength, and this without any perceptible cause, the attraction of the tides excepted, or any alteration in the barometer at the two places. The southerly, south-easterly, northerly, and north-easterly winds also invariably blow from Alderney in strong irregular gusts, more particularly the first and last.

"The prevailing winds among the islands, from the month of September to that of March following, are those which blow from between the S.S.E. and W. N. W.; the latter, however, is most predominant: and it is fortunate that against the occasional furious effects of this wind, Guernsey and Jersey should offer such good security for shipping. Between the vernal and autumnal equinoxes the winds appear variable and uncertain.

"I am of opinion that the easterly winds last longer when they set in, and set in with more uniformity in this neighbourhood than I have generally observed elsewhere during the winter season. Southerly and south-westerly winds, during that period, are almost universally accompanied with, or followed by, stormy weather, which seldom or ever dissipates without a corresponding change from the north-westward. On this occasion the change from S. W. to N. W. or N. N. W. is almost certain, and five times out of six clears up the weather."

The following passage contains general remarks on the tides in the neighbourhood of the Channel Islands.

"From what has been said in the preceding pages, it is evident that the tides in the neighbourhood of the Channel Islands are never quiescent, but have a perpetual rotary inclination, the ebb and flood in some part blending with each other and running together, and in other places the reverse. In the offing, between the Caskets and Guernsey, and between Guernsey and Jersey, the first half of the flood tide, that is the rising water, runs to the southward and south-eastward, and continues so to run until the water has risen three hours by the shore, or half-flood; although in the Race of Alderney, the Passes du Singe and d'Ortach, the Great and Little Russels, the Déroute, and in St. Catherine, St. Ouen and Grouville Bays, it continues more or less to run to the south-westward until that period, making what is termed tide and half-tide with the shore. At half-flood the tide, in the former case, runs more to the south-eastward, and in the abovementioned channels it sets to the north-eastward and northward; thus having progressively veered from south to north-east during a space of three hours only. At half-ebb the whole body of water between Cape la Hague and the Isles of Brehat sets to the westward and south-westward, as well in the several channels abovementioned as in the offing; thus having occupied six hours in rounding the compass between the periods of half-flood and half-ebb. After half-ebb the stream gradually inclines more to the southward, setting south at low water as before; thus completing its circuit from one low water to another in the space of twelve hours. The time of low water is generally* six hours after that of high.

"The stream of tide in the Race of Alderney, when running to the south-westward, is found between the periods of three-quarters ebb and one-quarter flood to exceed the rate of $8\frac{1}{2}$ knots; and in the Passe du Singe, when running to the north-eastward, to attain the rate of $7\frac{1}{2}$.

"The peculiar set of the stream in the offing between the Caskets and the Isles of Brehat, running to the southward in the neighbourhood of the former, and to the south-eastward in the vicinity of the latter, powerfully operates in accelerating the course of the waters towards the coasts of Bretagne and Normandy, particularly in and about Cancale, whither at low water the tide naturally endeavours to concentrate from all points of the compass between the north and west, subject however to be influenced in its progress by the conformation and position of the islands and shoals.

"The water thus accumulated in the vicinity of Cancale, and hemmed in by the obstructions which Jersey and the rocks present to its attempt at egress, consequently raises the level there to a very considerable altitude above that at Alderney, which, from a comparison of the difference in the vertical rise, appears to be $8\frac{1}{2}$ feet at half-flood, supposing the surface of the water to be level in both places at the period of low water.

"Now, the first discharge from this great accumulation of water (the ebb), being regulated by the conformation of the coasts of Normandy and Bretagne, consequently forms a very strong line of current towards the Race of Alderney, particularly as the stream continues to press to the eastward in the offing some time after

* * Meaning on an average, because during a series of moderate weather, the water occupies $5\frac{1}{2}$ hours in rising and $6\frac{1}{2}$ in falling.

high water; and as the limits for its passage become more and more contracted in proportion as it advances northward, its north-eastern velocity must be in a like proportion increased; and this impulse will continue until the level of channel to the eastward of Alderney preponderates and reverses the stream, which appears to take place at the periods of half-ebb at Alderney, and of five hours flood in the Strait of Dover.

"I shall here notice that I have been running through the Race of Alderney in a large cutter, with an easterly wind, against the stream at high-water spring tides, at the rate of eight knots, and yet not altering our position.

"Now the trend of the land between Cherbourg and Cape la Hague, and the oblique situation of Alderney, produces upon the south-western stream quite a contrary effect, for the ebb tide from Cherbourg preserves a great proportion of the north-western course, communicated to it by the concave trend of the coast between Cherbourg and the Cape, and consequently part thereof will of necessity be carried round by the northern side of Alderney. Again, the tide of ebb has free egress down the British Channel, which, while it affords a greater scope for the distribution of water, will evidently decrease the pressure for admittance on the northern side of the Race.

"The rapidity with which the tides rise and fall, and their velocity, is greatly influenced by strong north-eastern and south-western gales of wind; the former retarding and the latter accelerating their progress in a very remarkable degree; the latter will also cause the Race stream to run three-quarters of an hour longer to the north-eastward than it otherwise would do, though the former has not that effect upon the stream when running to the south-westward.

"In the application of these and other remarks to the regular tides, it is therefore of great importance, in so contracted a space, that the force, direction, and duration of the wind, should be taken into the account; these being found to vary the tides considerably in the duration of their periodical courses. Even the soundings, however correctly they may have been ascertained, are found to undergo great alteration. Generally speaking, a gale of wind between north-west and west-south-west sends in a heavier sea among the islands than the wind from any other quarter, to the formation and increase of which the tides greatly contribute. The greatest sea is generally about high water, and it gradually subsides after half-ebb.

"The tides put in and take off in all this neighbourhood very suddenly, and the general run of the springs takes place about half an hour sooner than that of the neaps.

"If a ship should happen to be near the islands during a long winter's night, but to the westward withal, the following observations may be worth consideration. With northerly, north-westerly, and westerly winds, it would not be prudent to lay her head to the north-eastward, between the periods of low water and half-flood, unless the depth of water exceeds thirty-four fathoms, because during that interval the wind and tide unite in driving the ship to the south-eastward; it is equally imprudent with southerly, south-westerly, and westerly winds, to lay a vessel's head to the south-eastward, between half-flood and high water, for the same reason, the wind and tide contributing to drive her to the north-eastward; with all easterly winds, the islands become a weather shore, and may consequently be made free with as discretion may point out. Further: a position or departure taken before dark may, by attention to the set of the tides, be preserved within three or four miles at most, provided you can carry close-reefed top-sails and fore-sail, as what you may lose on one tide you will nearly regain on the next, if the wind will enable you to lay across either. This calculation may be made with a degree of certainty off St. Malo, Granville, and Cape Flamanville.

"The space between the island of Guernsey and the Caskets, in some former charts, appears as a track recommended for expedition; but this can only apply to the following periods, viz. between half-ebb and low water, and between half-flood and high water, when to the eastward of the Bank de Chole; and between three-quarters ebb and one-quarter flood, and three-quarters flood and one-quarter ebb, when to the westward of that bank; and in both cases leading winds will be necessary, for, on a comparison of the tides, it will appear that in every other case the stream obliquely crosses the course before the beam, unless in the actual draught of the Race or channels westward of Alderney, and in consequence it is rather an obstacle than otherwise, unless during the periods above quoted; at all events it cannot, I think, be deemed an auxiliary except on those specific occasions.

"It has been already stated, page 160, that the streams of tide ten miles W. by N. from La Derez, with St. Ouen Church just open eastward of the Corbière, and to the eastward of a line drawn from Roche Douvre to Cape Frehel, set principally towards the N.W. and S. E. quarters of the compass, viz. from low water until half-flood, S. ; and between high water and half-ebb, N. ; from half-flood till high water, S.S.E., and N.N.W. from half-ebb till low water. Many pilots, however, French as well as English, believe that the first of the flood runs to the south-westward into St. Brieuc Bay. The injurious effects of this opinion, so contrary to fact, will be particularly felt by a vessel obliged to lie-to with a westerly gale during a long winter's night, for want of day light to enter St. Malo or St. Aubin, between the periods of low water and five hours flood, when not certain of the particular situation of the ship as to the parallel she may be on, or, in other words, as to her relative distance between Jersey and Cape Frehel. For, after making all fair allowances for the heave of the sea, drift, loss of ground in wearing, &c., a vessel guided by the above opinion may be deceived as to her real position during the above interval, from nine to twelve miles of easting or westing, an error which is inadmissible when within the narrow limits of such a navigation."

Tide Table for the Islands of Alderney, Guernsey, Jersey, &c.

	High Water by the shore at New and Full Moon.	VERTICAL RISE.				VELOCITY PER HOUR.	
		Equinoctial Tides.	Great Springs.	Ordinary Springs.	Ordinary Neaps.	Springs.	Neaps.
	H. M.	Feet.	Feet.	Feet.	Feet.	Knots	Knots
Minquiers.....	VI 1	47	43	39	23		
Vicinity of the Minquiers.....						6	4
Between Jersey and Chausey.....						6	4
Granville Banks.....	VI 6						
Jersey.—La Conchilière.....	VI 10					6	4
" St. Aubin.....	VI 10	42	39	36	19½		
" Grosnez.....	VI 10					4	3
Between Jersey and the Ecrehous..						5	3
Vicinity of the Ecrehous.....						6	4
La Déroute Passage.....	VI 30					5½	3½
Guernsey Pier.....	VI 30	30	28	25½	14		
Great Russel.....	VI 30					6	4
Little Russel.....	VI 30					5½	3½
Berk.....	VI 30						
Caskets.....	VI 45	20	18½	17	10		
Passe du Singe.....	VI 45					6½	5½
Alderney Pier.....	VI 45	20	18½	17	10		
Race of Alderney.....						7½	5½

Our last extract consists of remarks on the fluctuation of the bottom in the neighbourhood of the Channel Islands :

"The quality of the ground at the different anchorages, as stated in the preceding pages, is such as experience points out to be the case after a continuation of moderate weather ; but a long series of gales of wind from the westward has been found to cause a sensible alteration, sending in great quantities of loose shingle and pieces of shells ; while north-eastern gales have had a contrary effect by washing away what had accumulated during the western gales. This revulsion is more particularly observable in the neighbourhood of Jersey.

"I mention this to provide against that inquietude and uncertainty which would naturally attend a cruizer, in being apparently deceived in his soundings between the islands during the night. In general, however, the blue, red, and yellow granite is peculiar to the neighbourhood of all the islands, but to Guernsey and Alderney in particular, though often diversified in appearance by a mixture of other substances.

"It has been stated that the Banc de Chole had increased in size since the year 1804, and that the soundings were more regular in their approach than formerly ; whether, however, this increase may have arisen from a uniform impulse, or from the temporary effect of gales of wind, I do not pretend to determine ; but, from observations which I have made expressly for the purpose, at the entrance of those bights and harbours, unaffected by indraught, it appears evident that the

several banks and shoals of loose sand and shingle in this neighbourhood are occasionally elevated and depressed; I may instance Château Bank in the Bay of Grouville, where I have repeatedly witnessed this effect.*

"On comparing the depths of water between Serk and Jersey, as well as the nature of the ground, I think it may be safely inferred, after continued moderate weather, that if you find less than twenty-nine fathoms water, with rotten ground and pieces of shells, you are to the north-eastward of a line drawn from Grosnez to Serk, or upon it; and if more than thirty fathoms, with a bottom of sand, shells, or coarse ground, free from any apparent consolidation, you are to the south-westward of that line. A similar conclusion may, I conceive, be drawn in the following cases:—

"If, when between Serk and the French coast, you find a depth of about 26 fathoms, with rotten ground and pieces of shells, you are to the southward of a line drawn from Serk to Cape Roselle, or upon it; and if in that depth, or thereabouts, you find a coarse clean ground free from any apparent consolidation, you are to the northward of that line. Again, when between the Ecrehous and the Anquettes, if the water deepens suddenly, you draw to the northward; if the water shoals suddenly, to the southward; and if the water shoals gradually, you are nearing the French shore.

In recommending this valuable work to masters of vessels, we feel convinced that those who purchase it through our recommendation, will feel no regret at our having brought it under their notice.

COMMERCE OF GUERNSEY.

In undertaking the article before us, we purpose limiting ourselves to a rapid sketch of the rise and progress of the commerce of Guernsey, and to supplying statistical data as matters of future reference. Those who may wish for a more comprehensive view, we refer to an admirable chapter on the same subject in Berry's history, and written by the present bailiff, Mr. Brock, in 1813 or 1814. This chapter must serve as the basis of all similar notices, and as it cannot be accessible to very many of our readers, we have not hesitated to draw freely from its contents. In this Magazine, vol. i. pp. 363 to 367, will also be found an excellent commentary on the Ancient Commercial Privileges of Guernsey; and the recent most valuable series on the Commerce of Jersey, is, on many points, applicable to the sister island, on which especial information is afforded in vol. iii. pp. 241, 2, 3.

Previously to the revolution of 1688, the Channel Islands enjoyed the privileges of neutrality during the wars between England and France—their ports were moreover free—and notwithstanding, their trade must have been extremely limited, as neither Jersey nor Guernsey possessed a harbour capable of accommodating vessels of any burthen. But this is easily accounted for. In those days there were numerous free ports in Europe, which, taking no share in the wars, possessed also the advantages of neutrality. We allude to the towns and cities of the celebrated Hanseatic league, which, jointly with the free and commercial states of Italy, then engrossed the European trade.

In Guernsey, the principal inhabitants lived frugally on their small estates, or in the town on *rentes* due to them in the country, and as their wants were few and easily gratified, so had they no inducement to seek an increase of income from trade, for which their habits unfitted them, and with which they were so little acquainted. Moreover, the island produced a sufficiency for its population, for even as late as a century since, there was occasionally more corn grown than could be consumed, and the surplus was exported to Spain.

* "The method employed was by driving a wooden picket into the beach, level with the surface of the water when the bank was completely dry, (two or three feet without low water mark,) and comparing occasionally the surface of the bank with the increased or decreased length of the picket. A similar mode, practised at the Ecrehous, leads me to suppose that there is on some occasions a difference of six feet in the altitude of the surface of the Ecrivière Bank."

Although William confirmed the privileges of these islands in every other respect, he refused to acknowledge their neutrality, which ceased by his order in council of 8th August, 1689. He was probably apprehensive that it would open a channel of communication between James the Second, in France, and his adherents in England. This refusal, however, appears to have been beneficial to the inhabitants, who then had recourse to privateering, and were so successful that fifteen hundred prizes are said to have been made by Jersey and Guernsey during the reigns of William and Anne. This number may seem exaggerated, but the prizes were, doubtless, chiefly small French coasters; and we are confirmed in this opinion by a commission, now before us, granted by George, Prince of Denmark, lord high admiral, and bearing date 11th June, 1702, to Captain Edward Browne, of the ship "called the Two Brothers, of the burthen of about *four* tons, to set forth in warlike manner the said ship called the Two Brothers, under his own command, and therewith by force of arms to apprehend, seize, and take the ships, vessels, and goods, belonging to France or Spain," &c. This *mighty* privateer we presume to have belonged to Jersey, and no doubt, with many others of the same description, was sent forth to wage war on the enemy's coasting trade.

The refusal of William to confirm their neutrality must have been well received by the islanders, as they continued eminently protestant and much attached to his government. It was during this reign that a native of Guernsey, John Tupper, Esq., gladly conveyed to Admiral Russell, at some expense and risk of capture, passing either through or in sight of the French fleet, the information that Tourville was at sea. The French fleet was soon after defeated near Cape La Hogue, and for this acceptable service Mr. Tupper was presented with a massive gold chain and medal, which are now in possession of his descendants, and which they are permitted to bear as an honourable augmentation to their arms and crest.

The commerce of Guernsey, to any extent, may be said to date its origin from the commencement of the last century, as the introduction of prize goods, of which we have already spoken, attracted purchasers from England, with whom connexions were formed, and as wealth was acquired, so new ideas of trade developed themselves among the inhabitants. The funding system took root in England, and that money, which the Government obtained easily, was spent unsparingly. As a natural consequence, the duties were increased to meet an increased national expenditure, and at every increase the temptation to evade these duties became stronger. The English smuggler resorted to Guernsey for his supplies of spirits, tea, and other highly taxed commodities, for which he found a ready sale on his own coast, and it cannot be a matter of surprise if the inhabitants were induced to import and keep in store the brandy, geneva, tobacco, &c., for which there was so constant a demand. Another lucrative branch of trade also arose from the entrepot or deposit of wines, spirits, and other foreign goods destined for legal entry into Great Britain and Ireland, because as the duties, which often far exceeded the original cost of the goods, were exacted on importation, the merchant was compelled to have recourse to some secure deposit, whence he could receive his goods as he sold or required them. Wines, particularly, as they improve with age and care, were sent hither for that purpose. Thus Guernsey was to the British merchants what the bonding warehouses now are, and immense vaults and stores were in consequence constructed, which, being durably built with stone, will long remain as sad monuments of gone-by prosperity.

With these advantages the trade of the island slowly but progressively increased, but until the commencement of the first American war, in 1775, it appears to have been confined chiefly to importing and selling spirits, &c. to the English smugglers, and to receiving goods in deposit, as the insular shipping then consisted of only four or five square-rigged vessels, and a few sloops and cutters.* From this time, however, it began to augment rapidly,

* See vol. iii. page 223.

owing to a combination of favourable circumstances in quick succession, and which in a few years raised the commercial prosperity of Guernsey to the highest pitch—far higher than she will probably ever attain again. To defray the enormous expenditure of the wars commencing in 1775 and 1793, new and higher duties were levied by the British Government, and as the temptation to smuggling increased, so this island became a larger depository of goods than ever. Many privateers were also fitted out, and were very successful. Moreover, the disturbed state of France, during the revolution, naturally induced the exportation of goods from that country to a place of security; and wines, brandies, &c., were brought over to Guernsey in such quantities that the vaults and warehouses, numerous and capacious as they are, were totally inadequate to their lodgment.

Although this island was greatly benefited by the illicit trade, yet it was far less injurious to the United Kingdom, than if carried on from the Continent, whither the smuggler would otherwise have resorted for his supplies, and paid for them in specie. Many a cargo of brandy, then imported into Guernsey, was purchased with one of British pilchards or codfish, and above all, the smuggling vessels, with their daring crews, were, on the breaking out of each war, converted into privateers; and while they enriched the islands, as well as England, proved a serious annoyance to the enemy.* These palliating circumstances, and a knowledge that smuggling from the Continent could not be prevented unless by strictly guarding the British coast, probably induced the Government to pause in suppressing the traffic from these islands, as its attention was frequently drawn to the subject. "In 1709, an order in council was obtained by the island, which repealed former orders procured, *ex parte*, by the commissioners of customs, tending to establish their officers in this island. In 1717, an authentic act of the States of Guernsey, dated 6th March, proves that the lords of the treasury, wishing to establish custom house officers in the island, judged it necessary to obtain the consent of the States, which were then moved to take the proposal into consideration, and unanimously rejected it. In 1720 and 1722, other attempts were made by the commissioners of customs; a deputy was sent over by the island, and again prevailed in council. In 1767, an order in council did, for a short time, impose restrictions on the trade of the island."† as did another in 1771; but on a representation of their inutility and inexpediency, the Government was soon induced to allow them to remain dormant, although in 1767, the registrar's office, or Custom House, was established in Guernsey with the following appointments and salaries:

A registrar.....	£60
A waiter and searcher.....	£40
Two boatmen, and to keep a boat.....	£50
	<hr/>
	£150

And in Jersey :

A registrar.....	£60
Two waiters and searchers, each.....	£80
Two boatmen, and to keep a boat.....	£50
	<hr/>
	£190

In 1800, however, Mr. Stiles, a commissioner of customs, was sent over to the islands to procure information as to the best means of suppressing the illicit trade, but this was accomplished only in 1805, when the act for the better suppression of smuggling was passed, and another in 1807. By these two acts, such regulations and restrictions were enforced as, without trenching on any legal commerce which the inhabitants might wish to carry

* The celebrated Edmund Burke once observed, that the Channel Islands alone might rank among the naval powers of Europe, and it is certain that they have contributed their full share to that naval pre-eminence, which is the chief dowry of Great Britain.

† Appendix to the Rights and Immunities of Guernsey, 1805.

on, attained the desired object. Every opposition was, naturally, at first offered to these enactments—the present bailiff was sent to London as a deputy of the States, to protest against them—and it was urged that they were not only subversive of our most sacred rights and charters, repeatedly confirmed by different sovereigns since the conquest, but that they were impolitic and inexpedient. But the moment it was perceived in the island that the Government was determined to effect the suppression, the merchants resolved to discountenance the traffic, and the Royal Court completed by its ordinances what the acts of parliament, sent over with and confirmed by orders in council, had begun. These acts and orders were framed with as much regard as possible to the privileges of the island; their provisions extended only to goods and ships at sea, or afloat; they altered nothing on shore; the civil jurisdiction, police, and laws of the island remained intact. The chief feature of the new acts was, that they extended the laws for the suppression of smuggling generally to the distance of one hundred leagues from the United Kingdom, instead of a few leagues from the coast as before; and thus brought the Chanel Islands, with respect to all goods afloat, within the operation of those laws.*

Another measure conspired to deprive Guernsey, at the same epoch, of both the particular branches of trade which she had so long enjoyed. We have said that the acts of 1805 and 1807 effectually suppressed the illicit traffic, and, by the introduction of the bonding system, the island ceased in a great measure to be the depository of goods for legal importation into the United Kingdom. But although nearly the whole continent of Europe was closed to British commerce by the French decrees and English orders in council, yet the presence of a large garrison and naval squadron, both of which required extensive supplies, rendered these commercial deprivations comparatively innocuous to all classes at the time. Fortunately also, the Peninsula was soon after driven into a war against France, and its ports, as well as those of its immense colonial possessions, were opened to British enterprise, and our merchants were not slow in availing themselves of the advantage. Many of their vessels were most profitably employed, from 1808 to 1815, in carrying codfish from Newfoundland to Spain, where, owing to the destruction and waste of the armies, it rose from fifteen shillings, its usual peace price, to sixty shillings nett per cwt. From Spain, these vessels usually took a cargo of wine, brandy, &c., to Rio de Janeiro, or the River Plate, returning home with sugar, coffee, and hides; and so lucrative was this traffic occasionally, that, as we learn on good authority, upwards of nine thousand pounds were cleared by a brig of about one hundred and fifty tons burthen, in one of the circuitous voyages we have described. We must add, however, that she ran without insurance and without convoy, an immense saving, when it is considered that the risk from American privateers was so great as to raise premiums to 15 and 20 per cent. for a voyage across the Atlantic, without convoy. The Guernsey vessels, sailing well, usually ran without convoy, and very few were captured, but when insured, the high premiums were a great draw back to their profits, as few of the voyages in those days were unprofitable.

The island was also greatly benefitted during the last three or four years of the war, by what was termed the license trade, Napoleon then relaxing his anti-commercial decrees, and permitting various goods to be exported from, and imported into, France, in vessels under a neutral flag. His chief motive was to obtain Peruvian bark and other drugs, of which his armies were in great need, and although the British Government refused at first to allow of their exportation, yet they willingly sanctioned the traffic in many other goods; and at last removed their prohibition as to drugs. Guernsey was the principal mart of this licensed interchange of commodities between two nations, which had been for nearly twenty years waging war against each other, "*almost to the knife*," and although the traffic was carried on amid many restrictions, risks, and difficulties, constantly varying as the

* For an official report of the proceedings of Mr. Stiles, in Guernsey and Jersey, see pages 112 and 182 of our third volume.

caprice, or jealousies, or wants of either power prompted, yet it was very lucrative, and it was of essential service in introducing corn into the island, which at the time was much wanted, the northern ports being closed against us.

The high reputation for strict integrity and honourable dealing, acquired by the Guernsey merchants in those days, is too pleasing a feature to pass unnoticed. Their name alone, although they were otherwise unknown, was sufficient to procure their vessels, when abroad, cargoes to any amount they required, and it redounds equally to the credit of the native labouring classes, that their morals and simplicity of character remained in a great measure untainted by the riot and debauchery too often witnessed in a thriving sea port town, with a large garrison and squadron. We are perfectly aware that a stigma still attaches to this island as having formerly been the resort of the smuggler, but we fearlessly assert, not only that the illicit trade was carried on chiefly by English vessels and seamen, and that the great bulk of the islanders had no share in it, but that Guernsey then possessed, and still possesses, as religious, orderly, and contented a population, as any other portion of Europe. In this assertion we are borne out by the late Mr. Chenevix, who, in his "Essay upon National Character," observed that, "Among the islands depending upon England, the character of none are more worthy of notice than those of Jersey and Guernsey. The former is more warm and fertile, and slants towards the south; the latter is poorer, and its grand declivity fronts the north. Jersey is more vain—Guernsey more proud. Both retain traces of their former French connection, particularly among the lower orders, but Jersey by much the most—both have acquired many characteristics of their modern British dependence, but Guernsey more than Jersey. Jersey is the France—Guernsey the England of these islands; and few countries unite so much affluence and prosperity to so large a stock of morals and simplicity as the latter."

Mr. Chenevix, who resided here for about a year soon after the peace of 1814, was doubtless better acquainted with Guernsey, but those who then remember the two islands, will, we believe, admit the general correctness of this delineation, although since his time, Jersey has decidedly taken the start of Guernsey in commercial enterprise and prosperity, and, owing to the far larger number of British residents, has now become much more English than she was formerly. We, however, greatly question whether becoming more English is desirable for either island, as English manners and habits will generate an English scale of domestic expenditure quite incompatible with our system of landed tenure, and equal laws of inheritance. And with the change will disappear much of that "stock of morals and simplicity," which still forms so favourable a trait in the character of the peasantry of the Channel Islands.

We may safely add that the great mass of the native inhabitants do not wish for a return of the illicit trade, although the policy of the British Government in interdicting it during peace with the neighbouring continent is very questionable, as it is in consequence removed to Cherbourg, Roscoff, Flushing, &c., and the vessels employed in it from those ports will doubtless be converted into cruisers against British commerce on the out-breaking of a war with France. Indeed, when the acts of 1805 and 1807 were passed for its suppression, it was understood that they were to be enforced only during the war. The French Government affords every encouragement to smuggling into England from its ports, but the crews of the numerous French coasters and fishing vessels which put in here for shelter in bad weather, and as many as thirty may be seen at one time, can only take off tobacco, snuff, rum, &c., by stealth, as the laws for the suppression of smuggling apply to them as well as to English vessels bound to England. This *generous* return on the part of the British Government is as impolitic as it is inexplicable, especially as these French vessels carry away an immense quantity of British manufactures, and would probably put in more frequently if they were less restricted.

(To be continued.)

REMARKS ON THE CONSTITUTIONS OF KING JOHN.

TO THE EDITOR OF THE GUERNSEY AND JERSEY MAGAZINE.

SIR,—I lately assumed that the document termed *the Constitutions of King John*, could, at least, be no more than a *declaratory statute* of a pre-existing system, according to the custom, or unwritten law, of Normandy :— But when the subject is considered more attentively, a question arises, whether in fact, such a statute, or a statute of any kind to that effect, ever issued from royal authority. I purpose, in this communication, to investigate that point dispassionately—and to bring to it all the consideration I am master of.

Let me first describe the document. It is a mere list or schedule of sundry and promiscuous articles of polity and regulation. It bears on the face of it, no form, formality or style, usually characterising charters, statutes or institutes. It is headed, or rather superscribed, “Constitutions and provisions, constituted by the Lord John, the king, after Normandy was alienated ;” but the people for whom they were intended, are not named, and the heading may be altogether fortuitous : otherwise than in that heading, the king’s name does not appear ;—the place of emanation is not stated, nor is the date given :—the king’s signature is not to it, neither is that of any councillor, secretary, or other functionary, to authenticate it :—no seal is appended or affixed to it ; neither the great seal, nor the privy seal ; nor any other mark whatsoever, to give it the force of law ; it is not addressed to any authorities whatever, in or out of the islands ; it is not registered here or in Jersey ; and the source whence it may have originally been produced, is utterly unknown, as it bears no mark of its having been procured from any of the record offices in England. The original is not extant, and is not *known* ever to have been in existence ; it bears the appearance of a compilation, more than of any thing else, at an epoch *certainly posterior to king John’s death* ; it is a sort of *memorandum* of an uncertain tradition.

I proceed to its contents, which are various in purport and in character. The seven first articles regard the institution, the election, and the functions of jurats. These are related in the *past tense* ; and, therefore, are not the words of the legislator to whom they are ascribed. It is there also stated how they are to act with the bailiff, and with the justices of assise. They refer to *islands* in the plural number.

The eighth article regards the determining of all causes here. It is a part of the covenant (as respects this island at least) which was entered into, in king Stephen’s reign, for an annual money consideration. No. 9 secures to the owner of realty, his property, if he have had peaceable possession of it a year and a day. This probably has reference to the old law of retreats and redemption. No. 10 and 11 regard the confiscation of property in cases of felony. No. 12, on the subject of prisons, is obviously taken from the inquest of Henry the Third, of 1249, and applicable to *this island only*. No. 13 requires the prévôt to be elected of the people, a then ancient custom.

Nos. 14, 15 and 16 concern the itinerant justices in both islands. No. 17 exempts the inhabitants from doing homage to the king, except he come here, *or go to the duchy of Normandy* : or empowers some one, by his letters patent to receive it here. This article could scarcely have been so framed at the time of the *alienation of that duchy*—but it is another corollary, as it were, flowing out of the above composition, (*not to be unconsentingly called out of the island,*) entered into, for money, in Stephen’s reign. No. 18 purports to be a provision under circumstances of warfare, (consequently, no fundamental principle,) for the security of the isles, castles, and ports thereof.

Here ends the document *as handed down* by Mr. Falle. The sequel, which I shall here insert at length, from a French manuscript in my possession, is probably what he calls “a supplement, which” (he says) “Philippe d’Aubigny obtained, when Henry the Third confirmed the constitutions, of some other articles and concessions about trade ; which, being of no use at present, are omitted.” Here they follow :

19. “En outre, fut ordonné que tous navires étrangers, qui ne seroient de sa puissance et qui pauseroient aux isles, donneroient un marcq d’argent de coutume ; mais après le décès du roi notre sire, à la requête de Monsieur Philippe d’Aubigny, notre sire, le roi Henri, fils du roi Jean notre sire, en a réclamé la moistié.

20. “Il a été en outre ordonné, que tout bateau de la dite isle, portant poisson,

flottant en Normandie, donneroit pour chacun tour, quatre sous tournois ; mais à la requête du dit Philippe, la moitié en a été relaché, par le même Roy Henry notre sire.

21. " Et en ce même temps la salerie des congres fust établie, entre la fête St. Michel et Pâques, laquelle les bailiffs du roy notre sire ont pris en ferme comme l'esperkerie ; et la salerie fut premièrement faite et établie à cause des pêcheurs, lesquels portoient du poisson aux ennemis du roy notre sire.

22. " En ce même temps, fut ordonné que tous marchands doivent coutume des bœufs, porcs, et suif, et autres achats, de toutes leurs denrées ; mais les gens de l'isle doivent être quittes, quant à leurs propres nourritures.

23. " Aussi il a été ordonné et pourvai pour le substenement, et profit des châteaux et de la forteresse du roy notre sire, et de toute l'isle, que tous les pêcheurs conviendroient au pais, pour vendre leur poisson par trois jours en chacune semaine ; à sçavoir, tous les jours du Mardy, Jeudy, et Samedy."

Now, Sir, observe that No. 19 seems to regard the *islands generally*, while the last four apply solely to *this island*. I have now gone through the whole of the paper cyclopt the *Constitutions of King John*, which by some people is held to be, as it were, the cradle and framework of our present constitution ; and is ascribed to king John, who was certainly dead, before the document existed, as it now stands ! And such then is the document on which the reverend author of the *Jersey History*, and others, have founded their speculations in that particular.

I am now disposed, in prosecution of this subject, to offer it as my opinion, that we have obtained the document in question, in this island, out of the *History of Jersey*. The first edition of that work was published in 1695, and I firmly believe that Warburton, who wrote only thirteen years earlier, had not seen these *constitutions* ;—if he had, able historian that he was, he would not have written of it as he did ;—he would not have said, that our first charter of privileges *extant*, was from King John, after he had left all his duchy of Normandy ;—he would not have written of it, that it had been " confirmed in most, if not in every one, of the subsequent kings' reigns." I have seen it in a book of the late Bailiff Bonamy, which contains, besides, a vast number of records, always apparently obtained from the best sources ; and such of them as admitted of being authenticated, signed by himself, officially as Bailiff, and two or more Jurats. This document is there, and said to be a copy from Falle ; and the correction of the third article, suggested by Falle, is noted in the margin of Mr. Bonamy's book : he was Jurat in 1721, Bailiff in 1758, and died in 1770. Falle's second edition was published in 1734. But what is perhaps more extraordinary still, is, that there is every reason to believe that the documents which Falle had had access to, came from this island originally, and that they applied thereto only, and not to Jersey ; which I shall endeavour to explain. Let me say, however, that the case has appeared to me so unaccountable, that, before I sat down to pen these notes, I had consulted (but unsuccessfully) a friend in Jersey, for some further information on the subject.

I must refer you to Falle's Appendix, No. 1, the source whence I conceive we, of Guernsey, have of late years got, or rather perhaps *recovered*, these papers. I shall insert here as much of it only as is necessary to my purpose.

(Extract of No. 1 Appendix of Falle's History of Jersey.)

THE CONSTITUTIONS OF KING JOHN.*

" *Inquisitio facta de servitiis, consuetudinibus, et libertatibus Insulæ de GERESE et GUERNESE et legis constitutis in Insulis per dominum Johannem Regem, per sacramentum Roberti Blondel, Radulphi Burnel, &c., qui dicunt, &c.*

" *CONSTITUTIONES et Provisiones constitutæ per Dominum Johannem Regem, postquam Normannia alienata fuit.*

" *Imprimis constituit duodecim coronatores juratos,*" and so forth.

* " *The original of these Constitutions of King John is lost ; but they are extant in an inquest of his son, Henry the Third, which recites and confirms them.*"

Now observe ; the plain sense to be gathered from the above would be, that the first heading, " *the Constitutions of King John*," and the note at foot, were the author's own words ; that the next paragraph is the heading of the inquest of Henry the Third for both these islands, abridged ; however, giving the names of only two of the sworn men who made it, viz. *Robert Blondel* and *Ralph Burnel* : and that what follows is that which they, (and their companions, not here named,) declared on oath on the occasion, i. e. " *qui dicunt,*" &c. But then the two jurors named, appear to be *Guernseymen* ! and on reference to the copies of that inquest, which are in this island, I find these men, in fact, as well as the rest of their col-

leagues, all of this island; these copies are in French, and the title thereof stands thus: "Enquêtes faites des services, coutumes et libertez de l'Isle de Guernesey, et des loix établies en icelle Isle, par le Roy Jean nostre sire; par le serment de Robert Blondel, Raoul Burnel, Guillebert Malconvenant, Richard des Capelles, Raoul de Havilland, Pierre Gros, Raoul Corneille, Guillaume des Rohais, Guillaume des Grantz, Guillaume Vivier de la Court, Olivier du Vaugrat, Guillaume Gosselin, Richard Herchie, Guillaume de Nermont, Guillaume de la Loë, Richard le Moigne, du Câtel, Jourdain du Hamel, un autre Guillaume Vivier, Raoul Paizant; lesquels disent," &c. Surely, no Guernseyman, who knows any thing of the topography of his island, and of the names of estates and fiefs and persons in it, will hesitate to declare this *jury* to be entirely composed of his *compatriots*; a large portion of them being seigneurs of fiefs, or proprietors of estates, may be readily recognized! But then, if it be so, these two questions follow: 1. Did these men go to Jersey to make the inquest there? 2. Are the words, "GERESE ET" interpolations? I answer positively, that the men of Guernsey could not be employed on such duty at Jersey; and I conclude, therefore, that the words "GERESE ET" must have been interpolated. I cannot assert so positively, that the paper Mr. Falle took his copy from, was the Guernsey one; but I think there is sufficient evidence in the use made of it by him and his commentators, to convince me that it is one and the same document; that is to say, the Inquest of Henry the Third for the island of Guernsey;—and that shewing, of the author of the history, it was in no wise applicable to their own island.

Assuming then, that the "*Inquisitio facta*" in that appendix, is the same as ours, I have now to state, that these sworn men, as before enumerated, did not say what follows in Falle's appendix, viz. "*Constitutions provisions*," &c. but that they said this: "Que la moitié de l'Isle de Guernesey est au Roy," &c., and proceeded in a regular manner, to give in detail, "*les services, coutumes et libertez de l'Isle de Guernesey*." It is true they also gave "*des loix établies en icelle Isle par le Roi Jean nostre sire*," but these were not the *constitutions* in question, in the *guise* they are given in by that author;—the *laws* which these men swear to are, (and they amount to nothing more,) sundry regulations concerning the exports of the island, consequent on the alienation of Normandy; and for the appraising of congors, brought by the fishermen to the king's *Esperkeries*.

I must now refer to a passage in our inquest of Henry the Third, which (or I am much mistaken) has led the reverend commentator into error in his note, No. 29, where, after stating that John's charter, "*modified by time and circumstances*," is, "*as it still exists, the palladium of our liberties*," finds out, that "*the ninth article*" of the inquest of Henry the Third (for I conclude that is the official account he alludes to) "*contains these remarkable expressions: 'Sed tempore illo castella non fuerunt in Insulis,'—upon which he arrives at the conclusion, that it is 'a fact which seems at once to overthrow the popular tradition, that Gouray castle, better known under the name of Mont Orgueil, was either built by Julius, or some other of the Cæsars!'*" If the document he alludes to should still be our Guernsey inquest, then it must be a misconstruing or a misreading of the following passage, as we have it here in French, viz. "Item, en la dite isle sont six carvées de terre, desquelles le prieur de St. Lemfrey tient trois carvées," (Lord de Saumarez's manor) "Guillaume des Rohais une carvée, et aux fiefs d'Anneville sont deux carvées; lesquelles doivent, et sont accoutumées à leur tour, garder les prisons; et peuvent et doivent les prisonniers être répleyez, sans donner rien au bailli; sinon qu'ils ayent été pris par Haro, ou pour felonie, ou pour paix enfreinte, ou pour autre forfait contre la couronne du roy nostre sire;—*mais en ce temps là, les prisons n'étaient point au château aux isles.*" I should not so readily identify this passage with that commented upon by the annotator, if he had not said, that "the article in question refers to the owners of certain estates, who were bound by their tenure to have the custody of prisoners." I leave those who may, to reconcile these different readings of what I take to be the same document, *our Guernsey inquest*. We, at any rate, had *then* castles in this island, whatever they might be worth to our defence, against an external enemy; such as Castles Cornet, du Valle, des Marais, &c. But mark well the last sentence given above out of our inquest: "*En ce temps là les prisons n'étaient point au château aux isles.*" The natural inference therefrom is, that *après ce temps là elles y ont été*, and that Castle Cornet is the castle alluded to, where the prisons have since been actually kept; but "*au château aux isles*" does not readily make sense, since there could not be one castle for the two islands; the reading, therefore, should be, "*au château en l'islet*," for the site of Castle Cornet was formerly called "*l'islet*."—The site of Elizabeth Castle in Jersey was also called "*l'islet*," but

Mr. Falle informs us, that the first design for the castle was laid in 1551, which is three centuries later than the epoch referred to;—the first building of Castle Cornet was then of one hundred and ten years standing, so that it might still have retained the name of “*l’islet*,” and I therefore establish, that in 1249 there were yet no public jails at Castle Cornet. The custody of the prisoners was consigned to certain persons remunerated for it with lands; when, however, prisoners might, and were to, be bailed, except they were detained for certain crimes specified. This arrangement for keeping the prisoners was made by Philippe d’Aubigny; and he, at the same time, rebuilt the castle when warden, late in John’s, or early in Henry the Third’s, reign. Let me again refer to the twelfth article of the said *Constitutions of John*, viz. “12. No man is to be imprisoned in the castle unless in criminal cases, touching life or limb, and this by the judgment of the twelve coroners jurats, but in other free prisons, assigned to that purpose.” By this time then, the public jails for criminals of a certain order, were established at Castle Cornet;—the others were disposed of in “*free prisons*,” (meaning probably in the open country, not insulated,) “*assigned for that purpose*,”—hence it follows, first, that Art. 12 of the said *Constitutions*, was written at a later date than 1249, when Henry’s inquest was taken in this island;—and we must also infer, secondly, that it applied to Guernsey only, unless there should be a most marvellous coincidence of circumstances as regard the prisons in the other island, the lands assigned for their keep, and the names of jurors.

Ere I dismiss this part of my subject, I should state that the copies we have here of the inquest of Henry the Third do not all *literally* agree; there are verbal differences, as if from not having been collated, but they are all from one original, du Rolle de l’Eschiquier, A. R. 32 Henry III. I shall notice one curious variation for an instance of this; in one copy the passage given above regarding prisons, viz. “*Et peuvent et doivent les prisonniers être respleyez sans donner rien au Bailly*,” is rendered in another copy, “*Et peuvent et doivent les prisons être remplies, sans donner rien au Bailly*.” But the true meaning cannot be mistaken; the prisoners might and were to be bailed, except in the cases mentioned. *Respleyez* or *replegiés*, from *replegiare*, to redeem.

Now, the order for making the inquest of Henry the Third, in 1249, was as follows:—“Henry, by the grace of God, King of England, Lord of Ireland, Duke of Normandy and Guienne, and Count of Anjou, to his friend Drogo de Barentin, warden of the isles of Guernsey and Jersey, health. Inasmuch as that we have well understood the inquest which you formerly have caused to be made of the customs and the services which the men of these isles have been accustomed to render and perform in the times of our predecessors, kings of England, is less than sufficient; we send you word, that by as many men, and by such as will best know and say the truth, you may again make a distinct and exquisite inquest; and by the same means, what law and in what manner king John, our lord and father, has established in those isles, and that you send to us the same inquest under your signature and under that of those by whose means it may have been made with this brief. In testimony myself, at Milleberg, the 11th day of September, the 32nd year of our reign.” Now this instruction is plainly given to the warden of the isles, for “*a distinct and exquisite inquest in those isles*,” meaning Jersey as well as Guernsey, and if it were so taken in Jersey likewise, how is it that the historian of that island did not get hold of the right one?

My next object is to adduce further proof of the existence of jurats in the Royal Court, or the court of our lord the king, anterior to the epoch at which the constitutions in question are said to have been instituted here, by king John. I have already shewn that the Court of Chief Pleas of the 4th October, 1204, was composed of a bailiff and jurats, and that date is certainly prior to the alienation of Normandy, and forty-five years before the inquest of Henry the Third. I will now refer to the transaction already noticed in my former communication; the covenant by which the inhabitants at large, in this island, (I am not aware of any similar agreements having taken place in Jersey) agreed to pay to the king, £69. 3s. 11d. tournois, annually, as a money composition for the privilege of not being ever called out of the island, unconsentingly, by king’s brief or otherwise, for any cause whatsoever;—and that all causes instituted in the island, should be determined there, before the justices itinerant, “*and the twelve jurats of the isle who know and understand the customs and ancient usages of the island*.”—That is the explanation of the object of the composition, given in the *Précepte de l’Assise*, without however noting the date of it, only mentioning that it was entered into “*by our sovereign lord, King of England and Duke of Normandy, for the time being*.” Therefore, then, before Normandy was alienated.

Your correspondent is of opinion, that William the Conqueror is the sovereign there alluded to, in which case, the constitution of jurats in our courts would perhaps prove to be coeval with the conquest of England. There is, however, some evidence to shew, that this said composition was one of the acts of Raoul de Valmont, in the name of the king, when he was sent over by Henry the Second to fortify and settle the islands in his favour, during Stephen's reign in England; this privilege and the money composition for it, have both been handed down to posterity, and still exist at the present day; therefore, on the explanation of the *Précepte de l'Assise*, judges itinerant, a bailiff and jurats, must have formed our local judicial establishment at that epoch. Henry the First died in 1135, and this transaction must have taken place very soon after; consequently, about *eighty years* before king John's death; but if this agreement dates as far back as the conquest, it would then be nearly one hundred and fifty years anterior to that epoch.

Raoul de Valmont was probably sent with the authority of a commissioner, from the then Duke Henry, independent of the king's governor; as Raoul's name does not appear in Warburton's List of Wardens, or in any other that I have seen. But he is named, though not designated, in the inquest of Henry the Third. It seems also, that he established, with the abbot of St. Michael, the rent called *Mélage*, a chief rent; that he sold waste lands for rents; and that he held *assizes* in the island. He also first built the castle on the islet, afterwards called Castle Cornet, and the tower of Beuregard (at the top of the present Cornet-Street, which site is still called *La Tour*, or Tower;) for the combined defence of the *local*, now the town,—then perhaps, only a small village.

I shall next produce a sort of collateral evidence to the same effect, that is, to the existence of jurats in our courts generally, prior to, and independently of king John and his constitutions; which I meet with, in the ancient constitutions of Alderney, and which, like ours, was founded on the custom of Normandy. Mr. Berry, in his History of Guernsey, has a curious document on the subject, given to him by the minister;—It purports to be, a “state of the island made out between the officers of Henry the Third, king of England, and those of Hughes de Marville, bishop of Coutances, as to their respective rights;” extracted from the first volume of the charters of the cathedral of Coutances;—whence it appears, that half the island belonged to the king of England, the other half to the chapter of Coutances. The secular jurisdiction of the whole island being administered by a bailiff or judge and six jurats, in this wise;—namely: the former being *appointed* for one year; alternately, by the king and by the chapter; and so of the jurats likewise, they being elected, to serve for one year, by the king's men, and the next year by the men belonging to the chapter, and so on in turn, year by year.

The exact date of this “*state of the island*” is not known; but it is very probable that Philip de Aubigny himself, was the officer on the part of king Henry the Third, and that this inquest took place soon after the accession of the latter to the throne of England. Here there is the same principle of jurisdiction in Alderney, as in Jersey and Guernsey;—a judge or bailiff and jurats, taken obviously from the custom of Normandy; since the bishop of Coutances, besides holding the spiritual and ecclesiastical jurisdiction of the island entirely to himself, was a party in the temporalities thereof, and in the secular jurisdiction also, and that not a word is found in that document, concerning king John or his constitutions; although he was then so lately dead, that an order from his successor had not yet been sent thither, to release from sequestration the property of the chapter of Coutances, which had been seized by a brief from king John, early in the wars and troubles of his reign.

Proceeding beyond the epoch of John's reign, I would now observe, that the “*Coutumes de Normandie*” were then, according to Warburton, still *unwritten*; that the first attempt at publishing them was by a private hand, in 1229,—an expedient which, perhaps, became of more importance when that province reverted to the dominion of the French king. In John's difficulties, he passed once or twice through these islands; and to secure their allegiance, as observed before, he may have promised the inhabitants *viva voce*, while among them, that though they might be detached from Normandy to be annexed to England, they should continue to enjoy their established jurisdiction, and other customs and usages,—a declaration which could not fail to make a lasting impression on their minds; and that subsequently, when Normandy was actually alienated, some individual may have attempted to set down these things in writing, and have, in doing so, given them the appellation they now bear; which, however, proving but a miserable production of its kind, attracted but little notice then, not being actually

the official deed of the king; and that therefore, in *that shape*, it has never found its way into any subsequent charter of privileges, as has that of Richard the Second and others. It should now indeed be regarded more as a *curious relic*, than as a document of any authority.

The next epoch I shall call your attention to, is that at which Frassingfield and Dittone were sent to these islands as justices itinerant, about A.D. 1309, nearly a century after John's reign. They wrote, it seems, a short account of this island, while here; and they certainly do say, "that King John appointed Jervais Fantome his bailiff, and that instead, as in the place of the knights, he ordered and constituted twelve coroners jurats." But the *Précepte de l'Assise*, set down only twenty-two years later than the date of this account, *before*, and *approved by*, many justices of assize, does not confirm that statement as to the jurats being constituted by King John; but, on the contrary, that it was according to the establishment of the custom of Normandy that they were placed in the room "of the four knights;" and again, "that the inhabitants and dwellers in the said island, they and their predecessors, have in usage, and of ancient custom, to make and elect from among themselves twelve men," &c.;—there is no reference here either to King John's constitutions:—The whole is declared to be founded on the ancient custom of Normandy, by which it was, and not by King John, that the jurisdiction of knights was superseded by that of jurats, whenever that might have been. Now, at the time this *Précepte de l'Assise* (a record of part of the liberties, usages, and ancient customs, used, held and kept in this island,) was being made in the way of an inquest, a similar proceeding was being carried on in Jersey: this was A. R. 5 Edward III, A. D. 1331.

Our *Précepte* was taken before Sir Robert de Northon, knight, and Sir William de la Rue; afterwards approved by Sir Henry Spigenel and William des Mareys; also by Sir Robert de Scarborough and his companions, justices; all of whom were justices itinerant. Now, in the same year, pleas were held at *Longueville*, in Jersey, before Sir Robert de Scarborough, Robert de Northon, and Richard de Wescote, (two of these just before named, and the last also a justice itinerant;) when and where, "the community of the said island, being summoned to answer to our lord the king of the plea, on the authority of which it claimed having twelve jurats; answered, that they have twelve jurats from among themselves, who are elected by the ministers of our lord the king and by themselves, when there is need thereof;" and after entering into other questions, as to the rights and liberties of the people in that island, the act recorded on the occasion ran thus: "And the community is represented by John Barentin, its attorney, who says, that as to the abovementioned liberties of having twelve jurats from among themselves, and also that all pleas, whatever they may be, are to be determined here, without being adjourned elsewhere; they and all their ancestors have been seized thereof, from an epoch of which there is no memory, and without any interruption of time," &c. But in the whole proceeding and record, as in our *Précepte de l'Assise*, King John's name is not found, nor are his constitutions quoted. To render the statement of these circumstances perfect, I must mention that the proceedings in Jersey, and possibly ours likewise, were approved of by Edward the Third, *ten years afterwards*; if I am allowed to construe the following royal order, to his treasurers and chamberlains, as touching those transactions, and with the intention of confirming them:—

"*From the Rolle of Royal Briefs, of the fifteenth year of Edward the Third.*

[TRANSLATION.] "Edward, by the grace of God, King of England and France, and Lord of Ireland, to his chamberlains, sends greeting. Being desirous, for certain causes, to be certified on the tenor of the complaints made by the men of our isles of Guernsey, Jersey, Serk and Alderney, before our loved and faithful Robert de Scarborough and his companions, our justiciars itinerant lately voyaging to the said isles, touching certain liberties, immunities and customs of said isles, and also of the record and process had, as it is said, in the said voyage, between us and the said men on the said complaints; we send you word, that after visiting the rolls of the said Robert, touching the said voyage, which are in our treasury, under your care, as it is said, you certify to us directly, pertinently, and without dilation, in our chancery and under the seal of our exchequer, of all you will have found; and return this brief. Witness myself, at the Tower of London, the 2d day of June, in the fifteenth year of our reign of England, but of our reign of France, the second."

I trust I have now satisfactorily shewn that the document called the *Constitutions of King John* never emanated from him, nor was written by his orders;

that it is *spurious* as purporting to be a charter given us by that king; that however the heterogeneous matter, contained therein, may more or less be in conformity with our constitution and some of our usages, it nevertheless cannot, as such, be used as authority. With respect to the four chevaliers or knights, said to have once been established to assist the bailiff in his jurisdiction, it appears to me doubtful if ever there have been such in the island since the conquest; if there had been up to the time of John, they would certainly have been mentioned in the inquest of Henry the Third.

GUERNSEY, September 18, 1837.

A SUBSCRIBER.

P. S.—*Errata in the August number.*—Remarks on the Constitution of Guernsey, page 117, line 9, for *y cent*, read *yeuils*; line 13 from bottom, for *discuss*, read *dismiss*; page 118, line 37, for *whose ordinances*, read *when ordinances*.

NOTES OF THE MONTH.

GUERNSEY.

Chief Pleas.—The following is a brief summary of the proceedings at the Chief Pleas for Michaelmas:

Mr. George Whitfield, who had obtained permission to erect, and work under certain restrictions, a distillery at *Petit Bo Bay*, applied for leave to work, without any other restrictions than the proprietors, or former occupiers, were subject to, either the distillery at the *Terres*, or that of the *Bouët*, one of which he intended to rent for that purpose. His request was granted.

The prices of rent due on the 11th October, 1836, were fixed as follows:—

	Tournois.	Sterling.
Wheat.. 10 livres 17 sous.	15s. 6d.	per quarter.
Capons.. 3 " 0 "	4s. 3d.	per couple.
Hens.... 2 " 0 "	2s. 10d.	

All the ordinances relating to the reading of legal announcements in, or at the porch of the parochial churches, at the close of divine service, were repealed,—and it was ordered that such announcements should be discontinued, and that, in lieu of them, all legal notices should be posted up, during two successive Sundays, in a frame to be placed near the principal porch of each church. To commence on the 1st November.

It having been stated that a butcher held a sale by auction at the last Côté Fair, to the annoyance of those who were privately offering their cattle for sale, it was ordered that no auction should henceforth be allowed to take place during the fair.

It was also ordered that all proprietors of land bordering the public roads, should forthwith cause all projecting branches to be lopped off, on the foot-path side to the height of eight feet, and on the road side to the height of ten feet.

Some of the roads were stated to be in a defective state, and the constables of the parishes, through which these roads run, were ordered to see them repaired, and make their report on Saturday fortnight.

Royal Court.—A full meeting of the court was held on Thursday, Oct. 3, for the purpose of deciding, *en Vue de Justice*—that is by going down to the spot—on the request of Mr. John De Jersey, timber merchant, to be allowed to erect a steam saw-mill in his timber-yard, at the back of the gas-works—which request was opposed by a few of the proprietors of tenements in the neighbourhood, on the ground that the smoke and soot issuing from the chimney of such an establishment, would prove an intolerable annoyance, the smoke of the gas-works already soiling, in a very short time, the paint upon their houses, causing the rain water in their cisterns to be full of soot, and rendering it impracticable for their wives to hang out clothes to dry in their yards. The court, after hearing counsel on behalf of both parties, granted Mr. De Jersey's request, subject to the condition of his erecting the chimney at least sixty feet in height from the ground.

A petition was presented on the part of Robert Moore, esq., merchant, setting forth that he was a native of Ipswich,—that he came over to this island in 1810, and purchased several stores, of which he is still proprietor,—that recently he purchased a house at Mount-Durant, intending permanently to reside here,—that he was rated at 700 quarters for the payment of parochial taxes,—that, wishing to be received as a native inhabitant, he had, conformably to an Ordinance of the Court, dated April, 1726, applied to his Excellency the Lieutenant-Governor, and also to the Town Douzaine, for their sanction, and having obtained it, he now prayed the Court to receive him as a native inhabitant. The Court unanimously granted the prayer of the petition, the Bailiff observing that Mr. Moore had long been advantageously known by them all, and that it gave them much pleasure to receive him as an inhabitant.

Horticultural Exhibition.—The autumnal exhibition of the Horticultural Society was rich in fruits, flowers, and vegetables. The improvement in the production of the cottagers was very striking, and it afforded a gratifying proof of the utility of this excellent institution.

The large challengeable medal was awarded to Mr. Richard Luff, nurseryman, for the best collection of ten varieties of dessert apples.

Mr. Thomas Carey, of Rozel, exhibited no less than sixty varieties of apples, and each was without a speck. This display excited universal admiration, and was rewarded with a premium prize.

Colonel De Havilland presented some very superior Guernsey Illies, and his apples were of an excellent quality.

Mr. Hubert astonished the *amateurs* by his splendid grapes, which excelled all that have ever been exhibited in Guernsey: some of the berries were three inches in circumference. This gentleman received a premium prize.

Mr. John Carey, Castle, exhibited some very superior white grapes, peaches, and melons, and carried off a premium prize.

Mr. Harry Dobrée, jun., who has rendered on all occasions most effectual assistance to the Society, contributed splendid fruits and flowers to the exhibition, rivaling in beauty his former displays.

Mr. Vidamour obtained a medal for his fruits and flowers, which were numerous and choice. This gentleman always contributes to the exhibitions, largely and excellently.

Three fine specimens of the *Gladiolus Mortonii* were exhibited by Mr. William Hooper, of the Sarnian Nursery.

Mr. Harris, R. Y. C. Hotel, exhibited a gigantic gourd, measuring five feet six inches in girth, and weighing 66½ lbs. He obtained the prize for the best seedling dahlia, and also for the best six selected blooms.

Our neighbours from Jersey entered into the field of competition with spirit and success. Mr.

René Langeller, nurseryman of that island, produced three hundred and ten dahlia blooms, for which he received a medal. He is the same florist who recently published a letter in *The Star*, declaring that he would not compete, but only exhibit, so that he took many by surprise.

Mr. James Hammond, of Jersey, displayed a superb collection of fruits and flowers, for which he obtained several prizes. They were all fresh and in capital preservation, though Mr. H. had the disadvantage of bringing them across the water.

Mr. Charles Kaye deserves the same praise as Mr. Hammond, and he also received prizes.

Mr. B. Saunders, nurseryman, was another successful competitor from Jersey, and obtained prizes for his very choice fruits and flowers.

Mr. James Robin, of Jersey, exhibited a beautiful pine, for which an extra prize was awarded.

JUDGES.

Mr. Vachell, Mr. Mellish, Mr. Græme, Mr. Langeller, Mr. Nant, Mr. Crick, Mr. De Quetteville's (Jersey) gardener.

Botany of the Channel Islands.—At the seventh meeting of the "British Association for the Advancement of Science," held at Liverpool last month, Mr. Babington, one of the secretaries, read a 'Notice, with the results of a botanical tour in Guernsey and Jersey.' Very little, he stated, appeared to be known of the botany of the Channel Islands; the only notices he had seen were those of Woods, Christy, and Trevelyan, which were very scanty. He had spent two months on the islands, and collected about 500 specimens, and obtained a list from Mr. Saunders, nurseryman, of about 225 others. Of plants not before recorded, he had found the following:—*Hypericum lancifolium*, *Neottia astivalis*, *Sinapis incana*, *Mercurialis ambigua*, *Arthrolobium ebracteatum*, *Atriplex rosea*. He also gave lists of plants rare in England, and common in the Channel Islands, and of those

common in the former, and not found in the latter.—Professor Lindley observed, that he had seen a list of the plants of these islands, drawn up by Lagasca, a Spanish botanist, but it was not so comprehensive as the one at present laid before the section.

Miscellaneous.—The Lords Commissioners of Admiralty have appointed Doctor Hugh Monk medical adviser and agent to sick and infirm British seamen, who may be in this island. Doctor Monk has been an esteemed practitioner for a long series of years, and his nomination is as creditable to the Admiralty, as it will be satisfactory to his numerous friends.

The organ in the town church requiring repair, it was decided, by a parochial meeting, to appropriate £150 for that purpose. A sub-committee was appointed to superintend the work, composed of the Very Rev. the Dean, Mr. Joshua Abler, churchwarden, Mr. F. C. Lukia, and Mr. Robert MacCulloch.

Return of the practise of ball firing of the North Regiment of Militia, the 25th Sept. 1837:

Companies.	Distance.	Rounds.	Hits in the Target.	Ball's Eye.
No. 1.....	100 Yds.	500	222	3
No. 2.....	"	500	195	3
No. 3.....	"	500	183	3
No. 4.....	"	500	161	10
No. 5.....	"	500	179	3
No. 6.....	"	500	160	3
No. 7.....	"	500	154	6
Rifle.....	"	500	255	16

JAMES OZANNE, Colonel.

JERSEY.

The Jersey Athenæum.—At a meeting of the contributors and subscribers to the Jersey Museum, (which consists of valuable articles of natural and antiquarian curiosity, collected by the enterprise of the late John Gosset, Esq., and by the liberality of other contributors,) convened for the purpose of considering the best means of establishing the Museum on a permanent foundation, in connexion with a Literary and Scientific Institution,—It was resolved:

"That it would be highly beneficial to the island at large that the present Museum should be continued as a permanent establishment, in connexion with a Literary and Scientific Institution, and that the two objects should be united as a public Athenæum."

The Committee appointed at that meeting having taken into consideration the best measures for accomplishing the above objects, the following prospectus has been drawn up in pursuance thereof, and by their unanimous directions is submitted to the public.

PROSPECTUS.

To secure the Museum already formed, and to encourage future contributions to it, and also to render it of real service to the advancement of science and useful knowledge to all classes of the community, the committee recommend that a Society, under the title of "The Jersey Athenæum," be formed, to consist of donors and annual subscribers, under the following regulations:

That the books be opened for the inscription of donations and subscriptions.

That a donor of £10, or a subscriber of £1 annually, become a member of the Society, eligible to the Board of Direction.

That a subscriber of 10s. annually, or donor of £5, become member, with the privilege of

voting at the general meetings, and permission for themselves and their families to visit the Library and Museum, but not to be eligible to the Board of Direction.

That subscribers of 5s. annually shall have free admission to the Museum only, but not to be considered as members of the Society.

That all members of the Society shall have free admission to the Museum and Library for themselves and their families, under the regulations to be provided.

That the Board of Direction shall have power to admit as members for life all who may contribute books or valuable articles, that may be considered by the Managing Committee equivalent to a donation of £10.

The Committee communicate to the public that the Society is to be constituted for the following objects:

1. The association of persons interested in the cultivation of literature, science, and the diffusion of useful knowledge, and to continue, in aid of the above objects, the Museum already formed, on a permanent foundation.

2. The opening to the public of a well assorted Library, for the instruction and reference of the members and their families.

3. A Reading Room, to be supplied with the London, local, and other newspapers, and the periodical reviews, to be opened to the members subscribing £1.

4. The establishment of periodical occasional lectures, for the advancement of science and literature, to be open to the three classes of subscribers.

The Committee have to add, that a proper Deed of settlement will be drawn up to secure, in the name of Trustees, the contributions already, or to be hereafter made, whether for the Museum

or Library, so that the same, so long as the Society shall exist, be secured for the purposes abovementioned; and that contributions of a permanent nature will be secured and received under the conditions to be expressed in the Deed, it being especially intended to return to the donors the articles contributed, should the Society be dissolved from the want of support, or any other unforeseen cause.

As soon as donations and subscriptions to a sufficient amount have been inscribed in the books opened for that purpose, a public meeting will be convened for the election of the officers of the Society, and for the adoption of the Rules and Regulations for its government.

Affair of the Oystermen.—On Thursday, the 28th September, the constable of St. Clement held a meeting of the *Principaux* and officers of his parish, in compliance with the following regulation:

"St. Clement, 30th September, 1837.

"Sir,—We the undersigned, *principaux* of the parish of St. Clement, request you to convene a meeting of the *principaux* and officers of the parish, before the next meeting of the States, to take into consideration a petition presented to the States on the 16th August last, by the constable of St. Martin, on the part of seven hundred and ninety-eight inhabitant fishermen, and other persons interested in the permanent prosperity of commerce and the oyster fishery, and to take such measures on the subject as the assembly shall judge proper to be adopted.

We are, Sir, your very humble Servants,

(Signed) P. LE MAISTRE,

JOHN AVERY,

P. J. LE NEVEU,

T. LE NEVEU.

To Mr. Clement Touet,
Constable of the parish of St. Clement's."

The *Billet de Convocation* having been read, as also the petition of the oystermen to the States,

Philip Le Maistre, Esq., rose and proposed the adoption of the following Act:

"Considering that the said petition has for its object the protection of the poor in the exercise of their legitimate rights, against an arbitrary act, the assembly cannot dispense with taking an active part and a lively interest in it, especially as the principal design of this petition is to re-establish the said fishery on the ancient footing and without restrictions, and by this just and equitable measure, to procure to a numerous and industrious class the means of providing for their own wants and those of their families.

"Considering that the said fishermen have been deprived of the right of fishing on the old oyster beds, which they possessed for many centuries, without having been consulted, or even forewarned of the prohibitions and restrictions that have been imposed on them by a new law, contrary to their ancient rights and privileges.

"Considering that the principal object of the said States, according to the tenor of their act, dated the 22d day of May, 1834, was to create new oyster banks, and not to seize on the old ones, as has been done, and that it could never enter into the views of the legislative body to appropriate to themselves the ancient fisheries, as a speculation, and to deprive by this measure a great number of poor fathers of families of the means of subsistence for them and their children.

"Considering that such an unjust procedure against the rights of the fishermen and other citizens cannot be tolerated by the sound part of the population of this island; and moreover that all prohibitive or restrictive measures, relative to the oyster fishery on our coasts, are contrary to the advantage of commerce and the prosperity of the country in general, and press most particularly on a class which, though poor,

is not less worthy the consideration of the community, and which it is the duty of this meeting to protect.

"Under all these considerations, the meeting requests the Constable, or, in his absence, the *Chef de Police*, to second the views of the petitioners in the States, and to employ all the means in his power to further the said petition, for the purpose of abolishing all restrictive measures, relative to the ancient oyster beds, and that the fishery be free as before;

"And in case the States, contrary to the wishes of the assembly of this parish, persist in preserving the regulations actually in force relative to the fishery on the ancient banks, after having heard the petitioners by means of their advocate, the Constable or *Chef de Police* is specially charged to convoke immediately, with the shortest delay possible, an assembly of the said parish, for the purpose of informing them of the decision of the States, in order that the said assembly may take such other legal measures as circumstances may call for."

Mr. Centenier Lerrier seconded the proposition of Mr. Le Maistre.

Ph. Le Gallais, Esq., Deputy Viscount, thought it would be better to wait until the witnesses had made their depositions to ascertain which side was right. He added that if the assembly obliged the Constable to vote for the petition of the oystermen, they would force him to compromise himself, he having formed part of the Committee of Harbours, and having visited the oyster banks with this Committee and approved of their report.

Ph. Godfray, Esq., said that he wished to support the poor fishermen, but that he also was of opinion that it would be better to wait till the parties were heard; besides, he was not for constraining the Constable to vote in such or such a manner.

Notwithstanding the opposition of these two gentlemen, the proposition of Mr. Le Maistre being put to the vote, was carried by a majority of 33 against 2 !!

Treasury Chambers, 27th Sept.—Gentlemen,—In answer to your Secretary's letter, dated 16th inst., I am commanded by the Lords Commissioners of Her Majesty's Treasury, to convey to you the authority of this Board, to permit the exportation of Spirits from, and the importation into, the islands of Jersey, Guernsey, Alderney and Sark, in casks of the same size, as are allowed in the United Kingdom, until the pleasure of parliament shall be taken.

I am, &c. &c.

F. BARING.

Custom House, London, 29th Sept.—The foregoing copy of a letter from Mr. Baring, (one of the Secretaries to the Lords Commissioners of her Majesty's Treasury) is transmitted to the principal officers at Jersey, and who are to take care that the directions therein contained be duly obeyed.

By order of the Commissioners,

L. SCOVELL.

Miscellaneous.—The following is the number of arrivals and sailings of vessels, at and from the port of Jersey, as appears from extracts of the list kept by the Chamber of Commerce:—Arrivals, from March 10, 1836, to October 2, 1837, 2,367; sailings, during the same period, 2,323.

The improvement of our harbour is at length seriously contemplated, and Mr. Walker, civil engineer, is expected here for that purpose in the spring. Mr. Le Gros is now engaged in making surveys and plans to further Mr. Walker's views. The Harbour will be considerably widened and lengthened as far as the Rocher Fendu.

In the course of last month three fine vessels were launched in this island, namely, a schooner of 86 tons new measurement, named the *Bellona*, built for Messrs. Perrée and Vardon,

launched at St. Catharine's bay, and towed into the pier by the Camilla, in the afternoon.—A fine cutter, named the Dido, of 52 tons, new measurement, built by Mr. Filleul for Capt. Romeril and Querée, launched at La Roque, with her masts shipped and brought into harbour under sail in the course of the afternoon.—And also a

schooner of 80 tons, built by Messrs. Deslandes and Son, and launched from their building yard on the South Pier, which slid into her future element in gallant style, amid the cheers of assembled hundreds. The keel of another vessel has been since laid down by Messrs. Deslandes at the place the other was launched from.

SARNIAN MELODIES.—No. 15.

FRIENDSHIP'S OFFERING.

*L'homme qui va passer cherche un secours nouveau;
Que la main d'un ami, que ses soins chers et tendres
Entr'ouvrent doucement la pierre du tombeau!
Le feu de l'amitié vit encore dans nos cendres.*

CHATEAUBRIAND.

" My home is beneath the clear blue skies
Of the islands of the sea;
That from the sun-lit ocean rise,
And joy the mariner's weary eyes,
In glittering majesty.

In ocean's crystal bosom chased,
Each islet is a gem;
An earthly constellation placed,
Richer than emerald e'er that graced
A sultan's diadem.

Theirs are the vales where fig-trees wave
And golden orchards nod;
The shining beach,—the ocean cave
Where twice each day the waters lave
The samphire-clothed sod.

Ah! why must memory's gloomy sway
Remorselessly recall,
Times that long since have passed away,
And pleasures vividly pourtray
That were in bud to fall.

But how avoid? each dreary moor,—
Sad contrast to my youth!—
Which nightly I must travel o'er,
When the winds rage, and torrents pour,
Too well attest its truth.

Such silence too!—as oft pervades!
It bids me here have done;
Disease my feeble limbs invades,
My colour like a flower fades,
Forgotten by the sun.

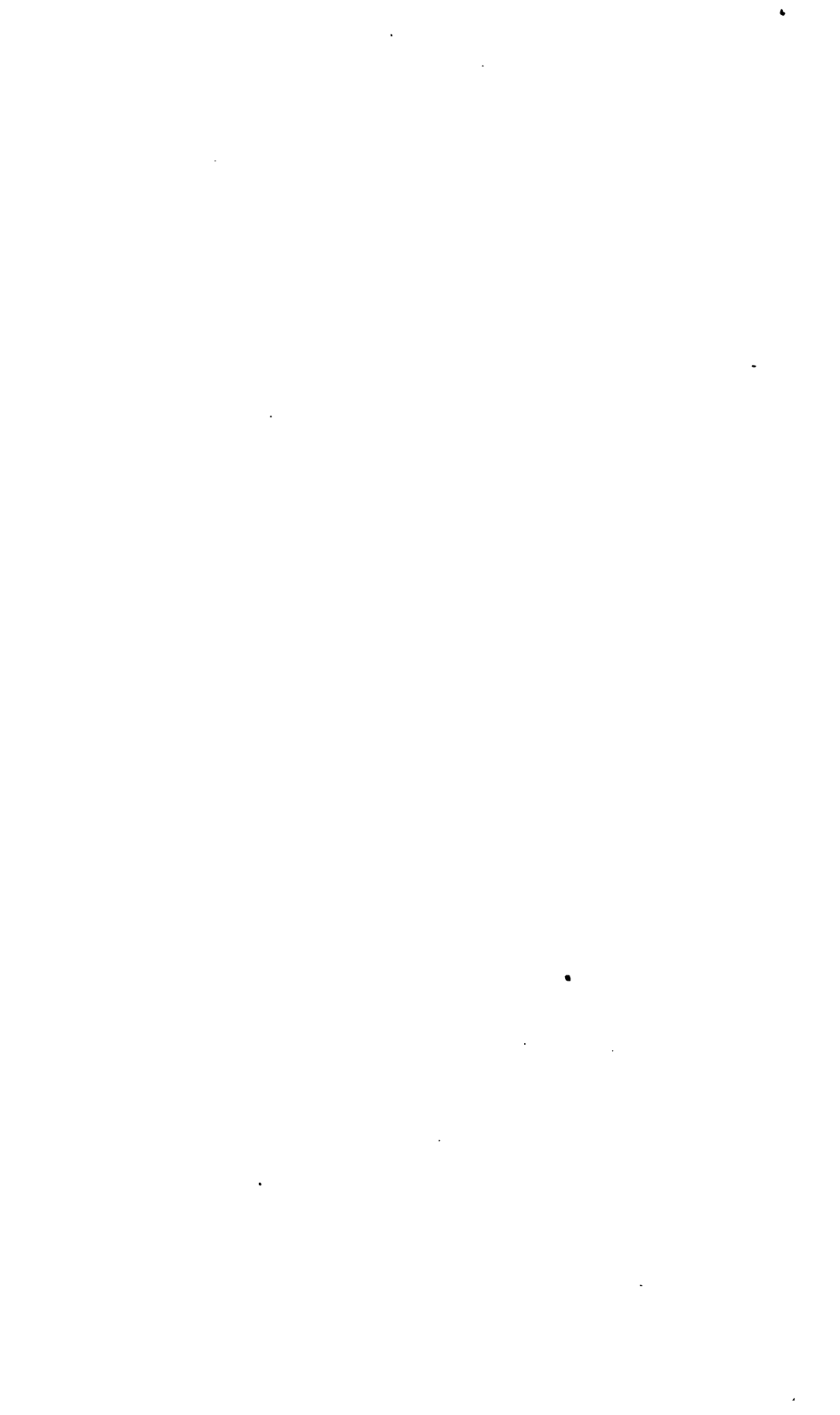
I feel the thrilling death-damps weave,
Their chilly fingers round
My aching heart;—and still I grieve
For my dear isle;—though I believe
Naught can avert death's wound.

But I will hie me home to die
And meet my early doom;
My bones in kindred earth shall lie,
And some,—a friend, may breathe a sigh
Upon my humble tomb.

Grant too when toil and sorrows cease,
And passions sink to rest,
And death my spirit shall release,
It may in such find endless peace,
Bright islands of the blest!"

Cease, cease, thou mourner! soon their earth
Shall shroud thy lifeless clay;
Alas! that few have known the worth
That graced my FRASER from his birth,
E'en to his dying day.

P.





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